

Finding Guide

Appomattox County Board of Supervisors Minutes

SCAN GROUP	START YEAR	MICROFILM REEL	BOOK #	FORMAT
	1895	17	NA (1)	Large Format
	1901	18	NA (2)	Large Format
	1913	18	NA (3)	Large Format
	1921	18	4	Large Format
	1932	19	5	Large Format
	1940	19	6	Large Format
	1951	20	7	Large Format
	1961	20	8	Large Format
	1968	21	9	Large Format
	1972	21	10	Large Format
	1976	22	11	Large Format
	1980	22	12	Large Format
	1982	23	13	Large Format
	1984	24	14	Large Format
	1987	NA	15	Large Format
	1990	NA	16	Large Format
25 NOV2025-17	1992	NA	17	Red Book 8.5x11
25 NOV2025-18	1995	NA	18	Red Book 8.5x11
25 NOV2025-19	1999	NA	19	Red Book 8.5x11
25 NOV2025-20	2002	NA	20	Red Book 8.5x11
25 NOV2025-21	2005	NA	21	Red Book 8.5x11
	2007	NA	22	Red Book 8.5x11
	2010	NA	23	Red Book 8.5x11
	2012	NA	24	Red Book 8.5x11
	2016	NA	25	Red Book 8.5x11

NOTES

Microfilm by Belinda D. Pillow (1985)

Microfilm held by the Library of Virginia

Finding Guide by Nathan A. Simpson (2025)

On Monday, January 10, 2005 the Appomattox County Board of Supervisors held its annual Organizational Meeting at 6:30 p.m. at the Old Appomattox Elementary School, located on Confederate Boulevard, Appomattox, VA. 24522.

PRESENT: Samuel E. Carter – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
J. G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Attorney

At 6:30 p.m. Ms. Ferguson called the meeting to order and asked Mr. Conrad to give the invocation.

This being the organizational meeting, Ms. Ferguson stated the first item for consideration was the nominations for Chairman and the election of Vice-Chairman. Ms. Ferguson asked if there were any questions regarding the nomination process.

Mr. Russell Moore nominated Mr. Samuel Carter to be Chairman for the upcoming year, 2005, seconded by Mr. Conrad.

Ms. Ferguson asked if there were any other nominations for the Chairman of the Board.

Hearing none, Mrs. Ferguson called for a motion to close the nominations. Mr. Conrad, made a motion seconded by Mr. Craft that the nominations for Chairman be closed. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson then called for a motion that Mr. Carter be elected Chairman of the Appomattox County Board of Supervisors by acclamation. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, abstained (4 aye votes)

Ms. Ferguson then turned the meeting over to Mr. Carter.

Mr. Carter thanked his fellow board members for their vote of confidence and stated that he feels each will work together as one team, one unit and that they will move forward with what is best for the County.

Mr. Carter then called for nominations for the office of Vice-Chairman.

Mr. Moore nominated Mr. William Craft for the office of Vice-Chairman.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to close the nominations and elect Mr. Craft as Vice-Chairman of the Appomattox County Board of Supervisors by

acclamation for the upcoming year. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Moore, aye; and Mr. Carter, aye. Mr. Craft abstained. (4 aye votes)

Mr. Craft thanked everyone for their support.

Mr. Carter stated the next item of business was to establish the rules/regulations and procedures for conducting the meetings for the year 2005.

- 1) Adopt Rules and Procedures:
For the past year the Board has utilized Roberts Rules of Order Newly Revised and allowed the Chairman to make and second motions.

Mr. Craft made a motion, seconded by Mr. Conrad to adopt Roberts Rules of Order Newly Revised for Small Boards and the following ByLaws and Rules of Procedure which allows the Chairman to make and second motions.

BYLAWS AND RULES OF PROCEDURES APPOMATTOX COUNTY BOARD OF SUPERVISORS

SECTION A: MEETINGS

Regular Meetings.

(a) All regular meetings of the Board shall be open to the public, except when the Board is in closed session pursuant to Section 2.2- 3711 of the Virginia Code.

(b) The Board shall hold regular meetings on such days as may be prescribed by resolution at the annual organizational meeting in January of each year, but which shall not be less frequent than once a month. The Board shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted or in the office of the Clerk to the Board. The Clerk may publish meeting notices by electronic means. The notice shall be posted at least three working days prior to the meeting.

(c) If the Chairman, or the Vice-Chairman if the Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Board members to attend a regular meeting, the regular meeting shall be continued until the following Monday, unless that Monday is a legal Holiday, then the meeting shall be on the Tuesday following the Monday Holiday. Such conditions shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

(d) All regular meetings of the Board shall be held on the 1st and 3rd Monday of each month, unless otherwise noted.

(e) The Board may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Notice of such change shall be posted in a public location at which notices are regularly posted, or in the office of the Clerk to the Board at least three working days prior to the meeting to be held pursuant to the change, and published once in a newspaper, of general circulation in the county, at least seven days prior to the meeting. Three working days prior to the meeting to be held pursuant to such change, the County Clerk shall give each Board member written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

(f) Except for properly called closed sessions as permitted by state law, all regular meetings of the County Board and official committees of the Board shall be open to the media, freely subject to recording by radio, television and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the Board may prescribe.

Special Meetings.

(a) The Chair or two members of the Board may call special meetings of the Board whenever in their opinion the public business may require it.

(b) Whenever a special meeting shall be called, notice in writing signed by the Chair of the Board or two members of the Board shall be filed with the Clerk and delivered upon each member of the Board either in person or by notice left at his place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted at the meeting except such as is stated in the notice.

(c) The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

(d) Notice to the public of a special meeting shall be given contemporaneously with the notice provided members of the Board.

Work Sessions.

The Board may meet informally in work sessions which shall be open to the general public, at the call of the County Administrator or of any member of the Board, to review forthcoming programs of the County, receive progress reports on current programs or projects, or receive other similar information from the County Administrator, provided that all discussions and conclusions thereon shall be informal.

Executive Sessions.

Executive sessions or closed meetings may be held in accordance with the provisions of the Virginia Freedom of Information Act.

Minutes.

(a) Minutes of all regular and special meetings and work sessions shall be recorded. Such minutes shall be maintained in the office of the Clerk of the Board of Supervisors. The minutes shall reflect:

- (1) The date, time and place of the meeting or session;
- (2) The members recorded as either present or absent;
- (3) A general description of all matters proposed, discussed or decided: and
- (4) Record of any votes taken.

(b) Approval of minutes of all but executive meetings or sessions shall be considered at a regular Board meeting. It shall not be necessary to read the minutes prior to approval. Prior to approval, any member may, through the Chair, request the privilege of amending or correcting the minutes to accurately reflect the substance of the prior meeting. If objection is made by any Board member to such amendment or correction, a majority

Vote of the Board shall be necessary for adoption of the correction or amendment. The Chair shall sign the adopted minutes.

SECTION B: OFFICERS

Election and Term of Chairman and Vice-Chairman

At the annual or organizational meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice-Chairman, each of whom shall serve a term for one year expiring on December 31 of the year elected, or until their respective successors shall be elected. In the case of the absence of the Chairman, the Vice-Chairman shall preside at the meeting, in the absence of both the Chairman and the Vice-Chairman; the members present shall choose one of its members as temporary Chairman.

Clerk

The Clerk of the Board of Supervisors shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law and as delegated and directed by the Board of Supervisors.

Parliamentarian

The County Attorney shall serve as the Parliamentarian.

SECTION C: QUORUM AND MANNER OF VOTING

A majority of the Board shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

No ordinance, nor resolution, appropriating money exceeding \$500.00, imposing taxes or authorizing borrowing money shall be passed except by a recorded affirmative roll call vote of a majority of all of the members of the Board.

SECTION D: RULES OF ORDER

The proceedings of the Board, except as otherwise provided within these Rules of Procedure and applicable State law, shall be governed by Robert's Rules Of Order, Newly Revised 1994 and more specifically, the provisions which pertain to conduction business for small boards found on page 61, except that the section indicating that the minutes are accessible only to Board members is hereby deleted.

SECTION E: ORDER OF BUSINESS

Agenda Preparation

The Clerk shall prepare the agenda for each regular meeting conforming with the agenda format approved by the Board. Except as permitted at the discretion of the County Administrator, every item to be placed on the agenda shall be received in the Office of the County Administrator before the close of the work day on the Wednesday of the week prior to any regular meeting of the Board.

The agenda packages shall be transmitted by the Clerk of the Board by the close of business on the Friday prior to the regular meeting using whatever means of delivery he deems best suitable to insure that Board members have the agenda packages prior to the regular meeting.

Order of Business

The order of business at Board of Supervisor meetings is normally:

Welcome

- a. Call to order
- b. Invocation
- c. Pledge of Allegiance

- 1. Approval of the Agenda
- 2. Approval of the Consent Agenda
- 3. Approval of the Minutes
- 4. Thirty minutes Citizen Comment Period at each regular meeting of the Month. Topics discussed are restricted to items on the agenda.

5. Public Hearings/Public Appearances
6. Action Items
7. Board Comments, Committee Reports, Requests and Recommendations
8. Appointments to Boards, Commissions and Committees
9. County Attorney Reports, Requests and Recommendations
10. County Administrator's Reports, Requests and Recommendations
11. Pending Matters

Consent Agenda

The Consent Agenda shall consist of a listing of various items to be considered by the Board as a block or one single item and to be approved by one vote rather than specific votes on each item.

Characteristics of items placed on the Consent Agenda are:

- Routine items that appear monthly such as departmental reports, requests for refunds, resolutions and motions authorizing the submission of applications for grants that require no local match, or grants for which the Board has previously approved the local match, requests for supplemental appropriations that meet the Board's policy
- Requests to advertise public hearings, advertising for bids and proposals, resolutions of appreciation, proclamations and resolutions of respect and accommodation.
- Items of a non-controversial nature that could be classified as housekeeping items of a technical, non-policy nature, end of year department transfers, resolutions dealing with the acceptance of grants from the State or Federal governments requiring no local match or grants for which the Board has previously approved the local match, and items that have received prior unanimous approval of the Board.

There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in the order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Citizen Comment Period

At each regular meeting of the month of the Board, the board shall set aside at the beginning of each Board session a citizens' comment period. During the citizen's comment period, speakers wishing to address the Board shall clearly state their name and address and shall be subject to such time limitations as the chairman in his discretion may impose. Speakers shall be limited to speaking on items included on the current meeting's agenda, but not on the public hearing calendar for the day. No individual citizen shall be permitted to address the Board for more than three (3) minutes.

The chairman shall allocate the time among the speakers in an equitable manner. Individuals who have previously spoken on a subject at a public hearing shall not be allowed to readdress the Board during the citizens comment period. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff member. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person.

Public Appearances

Any citizen may request to appear before the Board at any regular Board meeting no more than four times per year and no more than once within a three month period. Speakers shall be limited to speaking on the same subject not more than three times within any 12 month period. Speakers who wish to address matters which have previously been addressed at a public hearing under public appearances shall not be allowed to request to appear before the Board nor shall they be allowed to readdress the Board on the subject of the public hearing. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff person. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person. Requests to appear before the Board shall be directed to the Clerk of the Board. When requesting time to appear on the agenda, the requestor shall give the Clerk a description of what the topic will be, the speaker's full legal name and address (including street name and zip code), and home and business phone numbers, if applicable, shall be required. Speakers must speak on the subject identified when registering to appear before the Board and failure to stay on the topic will be deemed to render the speaker out of order and will result in forfeiture of the remaining time that had been allotted to the speaker.

Each speaker addressing the Board shall step up to the microphone in front of the podium, shall give his name and address in an audible tone of voice for the record. All remarks shall be addressed to the Board and not to any member thereof.

Any person speaking before the Board who represents himself as being an officer of or representing an organization, group, association, corporation, or other entity not generally known to the Board shall, upon request by any member of the Board, disclose for the organization, the history, size, dues, structure, date of creation, requirements for membership, tax status: and shall reveal for the organization its method of determining its official position and the speaker's authority to represent the organization. Unreasonable

failure to provide satisfactory answers shall bar the speaker from further speaking on the matter before the Board.

Public Hearings

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views during the public appearance and citizen comment sections of regular meetings and on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective, it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors, as follows:

- The order of business for consideration of a matter on the Board's public hearing agenda shall be as follows:
 - a. Staff presentation:
 - b. Questions from Board members (and Planning Commissioners if present):
 - c. Applicant's presentation (if applicable, for land use matters);
 - d. Comments, statements or presentations from members of the public; and
 - e. Board discussion, at which time the Chairman may entertain a motion to place the matter on future agenda for action, to refer the matter to committee, or bring the matter to a vote.
- Staff presentation will be brief, concise summaries for the public's information and understanding. When written information has been provided prior to the hearing only summary and/or new information should be presented.
- On land use matters a reasonable and sufficient time will be afforded the applicant to properly and fairly present the subject matter. Ten minutes shall be allocated to the applicant's presentation. The applicant may allocate the time between presentation and rebuttal. If additional time is believed to be necessary, the applicant should contact the County Administrator prior to the Public Hearing. Any Member of the Board may ask the applicant to respond to specific questions.
- Each speaker will have up to five minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of speakers registered to speak on any item exceed ten, the time will be adjusted to three minutes for each speaker. Unless instructed by a majority of the Board present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.

- Order of speakers will be determined on first to register, first to speak basis.
- Registration will be taken by County staff and will be submitted on the registration form provided, which will include the name, address and election district of the speaker.
- Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions of clarification.
- Debate is prohibited.
- All comments will be directed to the Board of Supervisors as body.
- Decorum will be maintained. This includes a common courtesy from the audience, the staff and Board to the speaker and from the speaker to the audience, the Board and the staff. Statements, which are demeaning or inappropriate, shall be ruled out of order.
- In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial Public Hearing will be the first to speak at the continued hearing.
- Speakers are requested to leave written statements and/or comments with the County Administrator.
- The Board shall have the discretion to act on a matter appearing on a public hearing: or the Board, by majority vote, may defer the matter to the next regular meeting of the Board. It shall be the policy of the Board to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

Board Comments

This time is generally used for individual Board members to share information with other members of the Board and public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No item presented under this heading shall be acted upon at the meeting at which the item is presented unless it is the unanimous consensus of the Board that the item be put on the floor for action. Prior to the agenda being prepared, members of the Board are encouraged to contact the County Administrator and have an item included under this heading. The County Administrator shall prepare a memorandum that will inform other members of the Board of the particulars pertaining to this matter.

Pending Matters

This section of the agenda is non-action section of the meeting agenda which shall list all matters that have come before the Board and that the Board has assigned to or referred to one of its standing committees or staff for additional information or recommendation.

Adjournment of Meetings

Regular meetings of the Board shall adjourn no later than 10:30 p.m. If the Board desires to extend the meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 10:30 deadline shall be deferred to the next regular meeting of the Board or adjourned.

SECTION F: RECONSIDERATION OF MOTIONS

At any meeting of the Board, when any vote upon any motion, resolution, ordinance or question has been announced, it shall be in order for any member of the Board voting with the prevailing side or who has not voted on the motion, resolution, ordinance or question to offer a motion for reconsideration thereof during the same or succeeding meeting.

SECTION G: CONDUCT OF THE PUBLIC

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds
3. Promoting private business ventures
4. Using profanity, vulgar language or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee is not related to his official duties
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Smoking or eating in the Board Room
9. Addressing question or statements to anyone other than the Chairman
(Questions shall be presented to the Chairman, who will, at his discretion, solicit a response from the appropriate board or staff member.)
10. Standing in the back or side isles of the Board Room as long as there are sufficient seats available (except for law enforcement personnel).
11. Persons in attendance at the meeting addressing the Board while members of the Board are considering any motion, resolution or ordinance preliminary to vote on the same, except at the discretion of the Chairman.
12. Any persons addressing comments or questions to someone other than the

Chairman.

13. Wearing hats, caps or other types of headgear.
14. Applause is permitted only during presentation, awards, proclamations and special recognition periods.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Board. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year either by the Chairman, subject to appeal to the Board or by motion passed by the Board.

SECTION H: MISCELLANEOUS

Reserved Area.

Only members of the Board, the County Administrator, County Attorney, administrative staff and other persons expressly invited shall be entitled to enter the area behind the Board Dais.

Press.

Cameras from the press shall be limited to the west side of the boardroom. Members from the press shall not interview the public or staff in the Boardroom while meetings are in session.

Amendment of Rules.

These rules of procedure may be amended by majority vote of the entire membership. No notice shall be required for the adoption of any amendments.

Vote: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2) Appointment of Clerk to the Board of Supervisors:

Mr. Conrad made a motion, seconded by Mr. Moore, to appoint the County Administrator, Ms. Ferguson, to serve as the Clerk to the Board of Supervisors. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3) Establish meeting dates, time and place:

Mr. Craft made a motion, seconded by Mr. Conrad to adopt the proposed schedule as provided, with meetings being scheduled for 6:30 p.m. on the first and third Monday of

each month, except when these dates fall on a Holiday. In those instances, the meeting would be moved to the next day (Tuesday).

4) Instructions to the Administrator:

Mr. Conrad and Mr. Craft both spoke highly of Ms. Ferguson's performance since becoming County Administrator in March 2004.

Mr. Carter commented that 2004 was an eventful and hard working year for the Board. Reflecting back, some of the tasks and projects that were accomplished were:

- Three new supervisors eagerly took office to serve their fellow citizens and off to work the Board went.
- The hiring of a new County Administrator, after reviewing the many resumes and conducting interviews, the county hired the most qualified and civic oriented candidate, Mrs. Aileen Ferguson.
- Budget; through hard work and long hours a sound budget was adopted which reflected no tax increases.
- The old elementary school complex was given back to the county. Projects are in place to make the building beneficial to all citizens and get it back into a self supporting structure.
- The Appomattox County Park received two grants totaling \$210,000 plus a VDOT grant totaling \$310,000 for paving. Other activities included the Girl Scouts building a Frisbee Golf Course, four (5) baseball/softball fields, three (3) soccer fields, one (1) football field, and one (1) multi purpose were graded and seeded.
- E-911 project progressing with the numbering system being put into place and the hiring of E-911 Coordinator.
- The new courthouse was completed on time. A unified effort by the courthouse committee that consisted of Bill Jamerson, Barbara Williams, and Russell Moore along with the furnishings committee of Tom Conrad, Barbara Williams, Aileen Ferguson and Judge Blanton helped to make this a success story.
- To ensure the town and county maintain an adequate water supply in the future, a joint town/county water study was started. This study continues today as data is collected to make a conscientious decision as to our future water supply.
- Due to the fact that our existing landfill cell is near capacity, the Board requested an up-date on alternatives for consideration. After hearing from our consultant, it was plain that we needed to move forward with necessary plans to open up another cell. In addition, our landfill inspections from DEQ were good and the Board appreciates the professionalism from the landfill employees which keeps us out of trouble.
- The entire county staff is recognized by the Board for their commitment to their jobs and always looking for ways to save taxpayers money.

2005 will again offer challenges to the Board. This Board as previous Boards is dedicated to the citizens of Appomattox County. We listen to our constituents prior to making decisions by collecting as much information as we can in order to make conscientious decisions. We are not going to please everyone and our goal is to render decisions that will best serve the citizens of the county. We will always strive to do our best.

Mr. Carter next called for the **Setting of the Agenda:** Two items were added:
 9A. Amendment to Chapter 133 County Code – and setting a Public Hearing Date.
 16A. Courthouse Bond – C. W. Warthen Co.

Mr. Carter next called for action on the **ADMINISTRATIVE ITEMS:** (Items 1-9A)

1. Ordinance for Tax Exemption for Certain Classes of Real Estate:

A public hearing was held on December 20, 2004 to receive public comments on a proposed ordinance for tax exemption for certain classes of real estate. No comments were received.

AN ORDINANCE TO AMEND CHAPTER 147, TAXATION, ARTICLE XVI, REAL ESTATE-IN GENERAL, OF THE CODE OF COUNTY OF APPOMATTOX, VIRGINIA.

BE IT ORDAINED, By the Board of Supervisors of the County of Appomattox, Virginia, that Chapter 147, Taxation, Article XVI Real Estate-In General, is hereby amended and re-ordained as follows:

By Adding:

- Sec. 147 Property exempt from taxation by classification.
- Sec. 147 Property exempt from taxation by designation.

CHAPTER 15. TAXATION

ARTICLE X. REAL ESTATE - IN GENERAL

Sec. 147- Property exempt from taxation by classification.

- A. Pursuant to the authority granted in Article X, Section 6 (a) (6) of the Constitution of Virginia to exempt property from taxation by classification, the following classes of real and personal property shall be exempt from taxation:
 - 1. Property owned directly or indirectly by the Commonwealth, or any political subdivision thereof.
 - 2. Buildings with land they actually occupy, and the furniture and furnishings therein owned by churches or religious bodies and exclusively occupied or used for religious worship or for the residence of the minister of any church or religious body, and such additional adjacent land reasonably necessary for the convenient use of any such building.
 - 3. Nonprofit private or public burying grounds or cemeteries.

4. Property owned by public libraries, law libraries of local bar associations when the same are used or available for use by a state court or courts or the judge or judges thereof, medical libraries of local medical associations when the same are used or available for use by state health officials, incorporated colleges or other institutions of learning not conducted for profit. This paragraph shall apply only to property primarily used for literary, scientific or educational purposes or purposes incidental thereto and shall not apply to industrial schools which sell their products to other than their own employees or students.
 5. Property belonging to and actually and exclusively occupied and used by the Young Men's Christian Associations and similar religious associations, including religious mission boards and associations, orphan or other asylums, reformatories, hospitals and nunneries, conducted not for profit but exclusively as charities (which shall include hospitals operated by nonstock corporations not organized or conducted for profit but which may charge persons able to pay in whole or in part for their care and treatment.)
 6. Parks or playgrounds held by trustees for the perpetual use of the general public.
 7. Buildings with the land they actually occupy, and the furniture and furnishings therein belonging to any benevolent or charitable organization and used by it exclusively for lodge purposes or meeting rooms, together with such additional adjacent land as may be necessary for the convenient use of the buildings for such purposes.
 8. Property of any nonprofit corporation organized to establish and maintain a museum.
- B. The real and personal property of an organization classified in *Virginia Code* §§58.1-3610 through 58.1-3622 and used by such organization for a religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purpose as set forth in Article X, Section 6 (a) (6) of the Constitution of Virginia, the particular purpose for which such organization is classified being specifically set forth within each section, shall be exempt from taxation, so long as such organization is operated not for profit and the property so exempt is used in accordance with the purpose for which the organization is classified.

- C. Property which was exempt from taxation on December 31, 2002, shall continue to be exempt from taxation under the rules of statutory construction applicable to exempt property at the time such property became entitled to exemption.
- D. Exemptions of property from taxation granted under this section on or after January 1, 2003 shall be strictly construed in accordance with Article X, Section 6 (f) of the Constitution of Virginia.

Sec. 147- Property exempt from taxation by designation.

Property not granted tax-exempt status prior to January 1, 2003 can be granted tax-exempt status by designation only by the adoption of an ordinance by the board of supervisors granting the exemption. The adoption of such an ordinance shall be pursuant to the provisions of Article 4.1, Chapter 36 of Title 58.1 of the Code of Virginia applicable to the exemption of property from taxation by designation.

State law reference—Property exempt from taxation by classification or designation by ordinance adopted by local governing body on or after January 1, 2003, Va. Code §58-1-3651; Va. Code §58.1-3606.

Pursuant to Enactment Clause 2 of Chapter 557 of the 2004 Acts of Assembly, this ordinance shall be effective as of January 10, 2005.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 2. **Planning Commission Recommendations:** The Planning Commission has submitted its recommendations for the petitions heard at the Public Hearing conducted on December 20, 2004:

04-541 – William E. Walker: The applicant is requesting an amendment to an existing Conditional Use Permit to allow the operation of an automobile inspection station in a 14 ft. x 30 ft. metal addition to an existing building located on Route 460 between Route 628 and Route 622. The subject property, Tax Map #102-A-21A, is 1.00 acre in size and is zoned R-2 General Residential District.

The Planning Commission on December 20th, recommended that this petition be denied by a 7-0 vote.

After some discussion and explanations from John Spencer and J. G. Overstreet, Mr. Conrad made a motion, seconded by Mr. Craft, that the Appomattox County Board of Supervisors deny the conditional use petition of William E. Walker as recommended by the Appomattox Planning Commission and the intent of the R-2 General Residential District. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

04-542 – Thomas R. & Misty K. Nolen: The applicants are requesting to rezone 11.51 acres located on Route 24 between Route 654 and Route 618 from R-1 Residential to A-1 Agricultural in order to avoid a split zoning situation due to the consolidations of two adjacent parcel with differing zoning designations. The subject property is identified as Tax Map #41(3)14.

The Planning Commission on December 20th recommended that this petition be approved by a 7-0 vote.

Mr. Craft made a motion, seconded by Mr. Armbrust, that for reason of public necessity, convenience, general welfare and good zoning practice, the Appomattox County Board of Supervisors moves to approve the petition of the applicants requesting to rezone 11.51 acres located on Route 24 between Route 654 and Route 618 from R-1 Residential to A-1 Agricultural in order to avoid a split zoning situation due to the consolidation of two adjacent parcels with differing zoning designations. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

04-543 – Robert L. and Mary H. Bushong: The applicants are requesting a Conditional Use Permit to allow the operation of a Bed & Breakfast in a new building to be constructed on Route 24 between Route 654 and Route 168. The subject property is currently two separate parcels totaling 22.44 acres. Tax Map 42(3)14 is zoned R-1 Residential (subject of Petition 04-542) and Tax Map #41(3)15 is zoned A-1 Agricultural.

The Planning Commission on December 20th recommended that this petition be approved by a 7-0 vote.

Mr. Moore made a motion, seconded by Mr. Armbrust, that the Appomattox County Board of Supervisors approve the conditional use petition of Robert L. & Mary H. Bushong as recommended by the Planning Commission. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

04-544 – Thomas R. and Misty K. Nolen: The applicants are requesting to rezone 10.13 acres located on Route 24 between Route 654 and Route 618 from R-1 Residential to A-1 Agricultural for agricultural purposes including housing of horse on the property. The subject property is identified as Tax Map #41(3)13.

The Planning Commission on December 20th recommended that this petition be approved by a 7-0 vote.

Mr. Armbrust made a motion, seconded by Mr. Conrad, that for reason of public necessity, convenience, general welfare and good zoning practice the Appomattox County Board of Supervisors moves to approve the petition of the applicants, requesting to rezone 10.13 acres located on Route 24, between Route 654 and Route 618 from R-1 Residential to A-1 Agricultural for agricultural purposes including the housing of horses on the property. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for the **Citizen Public Comment Period**: This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Ms. Lillie Adams came forward and stated that the Carver-Price Alumni Association wants the Carver-Price School Building and she does not feel they are being treated properly.

At 7:10 P.M. Mr. Carter stated the need to enter into closed session for the purpose of discussing a personnel matter.

Mr. Craft made a motion seconded by Mr. Conrad to enter into a closed session in accordance with §2.2-3711 A. 1 of the Code of Virginia, Personnel matters. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 7:23 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to return to regular session. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 7:35 p.m. Mr. Carter read the following certifying motion:

WHEREAS, this Board convened in a closed meeting under §2.2 – 3711 A. 1 – of the Code of Virginia, for the purpose of discussing a personnel matter.

AND WHEREAS, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

NOW BE IT CERTIFIED, that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Resolution Adopting the Six Year Plan**: VDOT resolution to adopt the proposed Six Year Plan for Secondary Road Improvements for 2005-2006 through 2010-11 and the proposed priority list for the 2005-2006 Secondary Road Construction Budget.

Mr. Moore made a motion, seconded by Mr. Conrad to adopt the following resolution to adopt the proposed VDOT Six Year Plan for Secondary Road Improvements for 2005-2006 through 2010-11 and the proposed priority list for the 2005-2006 Secondary Road Construction Budget.

WHEREAS, the Board of Supervisors of Appomattox County and the Virginia Department of Transportation held a public hearing on December 20, 2004, in accordance with Section 33.1-70.01 of the Code of Virginia at which time the proposed Six Year Plan for Secondary Road Improvements for 2005-06 through 2010-11 was

presented by D. L. Austin, Resident Engineer for the Virginia Department of Transportation and,

WHEREAS, the proposed priority list for the 2005-2206 Secondary Road Construction Budget was also presented for consideration.

BE IT RESOLVED, that the Secondary Road Improvement Six-Year Plan for 2005-06 thru 2010-11 is hereby approved.

BE IT FURTHER RESOLVED, that the priority list for the 2005-06 Secondary Road Construction Budget is hereby approved.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. Committee/Board Appointments:

- a) Industrial Development Authority of Appomattox County:** There are several vacancies on the Industrial Development Authority that need to be filled. James A. (Buddy) Conner and Winfred Nash have agreed to fill these vacancies.

Also, we need to recognize Mr. Richard Robinson and Mr. Danny Moon for their service and dedication for serving on this Authority in the past.

Mr. Conrad made a motion, seconded by Mr. Moore, to appoint James A. (Buddy) Conner and Winfred Nash to the Industrial Development Authority of Appomattox County. Mr. Conner is appointed for a four (4) year term beginning immediately and ending December 31, 2008 and Mr. Nash will serve the remainder of Richard Robinson's term beginning immediately and ending December 31, 2006. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

b) Regional Commission – Greenways Program Development Team:

On February 17, 2004, the Board adopted the Region 2000 Greenways and Blueways Plan which provides a framework of hiking/biking trails and waterways for recreational, tourism, and alternative transportation purposes. Now, the Regional Commission is forming a Greenways Program Development Team that would work over the next 12-15 months to develop a long-term oversight structure for implementation of the Region 2000 Greenways and Blueways Plan, including bylaws, public outreach and coordination with other programs such as transportation and economic development. Appomattox County needs to appoint a representative to this Team.

Mr. Craft made a motion, seconded by Mr. Armbrust, to appoint John Spencer, Assistant County Administrator, as the representative to the Greenways Program Development Team with Ms. Susan Hudson of Pamplin Town Council, serving as alternate. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- c) **Central Virginia Area Agency on Aging Board of Directors:** Lynn Doss' term on the Central Virginia Area Agency on Aging Board of Directors expired December 31, 2004. Mr. Conrad has spoken to Darlene Reed and she has agreed to fill this vacancy.

Mr. Armbrust made a motion, seconded by Mr. Moore to appoint Ms. Darlene Reed to the Central Virginia Area Agency on Aging Board of Directors for a three (3) year term, beginning immediately and ending December 31, 2008. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Conrad stated that some new situations have developed at the CVAAA. Earlier in the fall they were audited and during their audit, the auditor came up with the concern that it being a non-governmental, non-profit organization, the Board of Supervisors can no longer make appointments to the CVAAA Board, but rather submit recommendations to be appointed by CVAAA.

- d) **Road Viewers for calendar year 2005:** At the public hearing held on December 20, 2004, VDOT received a request for a road to be taken into the State system. This will necessitate Road Viewers be appointed to work with VDOT on this request. Appointments are for one year and run from January to December.

The last group to serve as road viewers were John Fitch, Claude Allen Moore and Willie Craft. When Mr. Craft was elected to the Board, he checked with Allen Torrence to see if he would serve in this capacity. No follow up was done on this as we did not need Road Viewers during 2004.

It was recommended that we check with these gentlemen to see if they would be interested in serving as Road Viewers again.

5. **Courthouse Project:** From the latest letter received from the attorney's concerning the courthouse project, the Court is allowing time for us to work out a solution to the back of the old building. We need to end this court case as soon as possible. Does anyone have any new information concerning this matter.

Mr. Moore stated there was nothing new to report at this time. There has been some discussion with J. E. Jamerson & Sons regarding what can be done in this regard. It has been suggested that we use fire resistant materials to repair the gable end of the old building.

The Fire Marshall has suggested that the new building be installed with a sprinkler system that would produce a curtain of water to protect the new building, with some sprinkler heads aimed at the old building.

Hopefully, we will be able to present an update at the January 18, 2005 meeting.

6. Agenda for Joint Meeting with the School Board: The Board has scheduled a joint meeting with the School Board for January 18, 2005. Are there any additions to the agenda?

7. VACo, VML Legislative Day: The VACo, VML Legislative Day is scheduled for February 3, 2005 and the cost is \$24.00 per person. Please let Ms. Ferguson know if you are interested in attending so registrations can be made. Also she will try to schedule a meeting with Del. Abbitt while you are in Richmond.

Mr. Conrad, Mr. Overstreet and Ms. Ferguson will be attending the VACo, VML Legislative Day on February 3, 2005.

8. VACo Rural Action Caucus Dinner: VACo's Rural Action Caucus is planning a dinner to meet with rural legislators on February 2, 2005 prior to the Legislative Day events. If you are interested in attending this dinner prior to the VML Legislative Day on February 3, 2005, please let Ms. Ferguson know so arrangements can be made.

Mr. Conrad, Mr. Overstreet and Ms. Ferguson will be attending the VACo Rural Action Caucus Dinner in Richmond on February 2, 2005.

9. VACo Steering Committees: VACo is disappointed in the lack of interest shown by local officials in serving on their Steering Committees. If anyone is interested in serving on any of these committees, please contact Ms. Ferguson.

9A. Amendment to Chapter 133 County Code: When the Road Naming was done, in conjunction with E-911, it only bought us to a certain point, it did not really prepare us for actually implementing E-911 and to continue to preserve the data base, etc. The new E-911 Coordinator is proposing an amendment to the existing ordinance that will cover ongoing maintenance issues, procedural issues, etc. Also, changes were made in the original ordinance changing "The County Administrator" to "E-911 Coordinator". Article II, Section 133.4 is the new amendment to the ordinance, addressing the things we will be facing in the future. We need to set a Public Hearing Date for this Amendment in order to get this ordinance in place.

Mr. Craft made a motion, seconded by Mr. Moore, to hold a Public Hearing on the Amendment of Chapter 133 of the Appomattox County Code for 6:00 p.m. on February 7, 2005. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter called the next item on the agenda: **CONSENT AGENDA:** (Items 10 – 16A):

10. Approval of Minutes: Please approve minutes of the Joint Public Hearing with VDOT on 12-20-04; Regular Meeting on 12-20-04; and Public Hearing on 12-20-04.

11. Approval of Bills: Please approve bills as presented for payment.

FUND TRANSFERS:

- 12. Revenue Max. Funds:** Please transfer and appropriate by consent \$2,585.00 from Revenue Max. Funds to the General Operating Fund to pay Central Virginia Community Services Board for services provided to Appomattox County.
- 13. Community Park/Sports Complex Fund:** Please transfer and appropriate by consent \$3,300.00 from the Community Park Fund to pay for seeding and mulching at the park.

SUPPLEMENTAL APPROPRIATIONS:

- 14. Fire Program Funds:** Please appropriate by consent a supplemental appropriation in the amount of \$7,394.02 for additional funds received from the State Fire Program:
- | | |
|-----------------------------------|------------|
| 3202-5608 – Appomattox Fire Dept. | \$3,697.01 |
| 3202-5605 – Pamplin Fire Dept. | \$3,697.01 |
- 15. Sheriff's Department:** Please appropriate by consent a supplemental appropriation in the amount of \$14,616.00 to the jail budget for housing inmates at Blue Ridge Regional Jail.
- 16. Courthouse Construction:** Please appropriate by consent a supplemental appropriation in the amount of \$935.80 for expenses incurred for the new courthouse.
- 16A. Courthouse Bond:** Please appropriate \$49,697.00 from Courthouse Construction to pay C. W. Warthen Co, for refurbishing files in the Circuit Court Clerk's Office and moving expenses incurred in moving the Circuit Court Clerk's Office to the new Courthouse. These monies were previously approved.
- 17. Library:** Please appropriate by consent a supplemental appropriation in the amount of \$9,436.29 for monies received from various sources (donations, fines, book replacement fees and book sales and add to the following:
- | | | |
|-----------|-----------------|------------|
| 7301-5411 | Books | \$2,852.61 |
| 7301-5401 | Office Supplies | 1,808.97 |
| 7301-5414 | Pamplin Project | 1,954.17 |
| 7301-5415 | Summer Reading | 50.00 |
| 7301-7001 | Equipment | 2,770.00 |
- 18. School Board:** Please appropriate as a supplemental appropriation \$913.14 to the schools budget to cover funds received from retirees for their dental insurance premiums.

LINE ITEM TRANSFERS:

- 19. County Administrator:** Please transfer by consent \$27,740.92 from the Board of Supervisor's budget, Operating Reserve, to the departments as shown to pay bills associated with the new animal pounds and the Town/County Water Project.
- | | | |
|-----------|--------------|-------------|
| 9104-7001 | Animal Pound | \$19,407.92 |
|-----------|--------------|-------------|

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:**

- 20. Appomattox County School Board Meeting Calendar for 2005:** School Board's meeting schedule for 2005.
- 21. School Board Financial Report:** Monthly financial report for December 2004 for the school system.
- 22. County of Appomattox Workforce Development Center:** The preliminary community needs assessment has been compiled by the Regional Commission in conjunction with other agencies to send to VDHCD as a part of the funding process.
- 23. Town of Appomattox Council Agenda:** Agenda for Town Council meeting for January 10, 2005.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Armbrust stated that sometime ago there was a discussion regarding the quality of the road signs. This past week he ran into Mr. Wingfield and had the occasion to examine some of the signs. The signs seemed to be of study construction, drilled through taps, screwed in and they appeared to be very sturdy, but something disturbed him. You could tell where something was apparently wrapped around the sign and pulled it down. Some of these signs were found by hunters in the middle of the State Forests. This tells me that apparently someone does not like the name of some of the roads. In looking at the ordinance, the punishment for destroying these signs is paying for the replacement of the sign. (Class four misdemeanor). This, to him is not tough enough. He feels there should be some stiffer punishment for tearing down these signs.

Mr. Overstreet stated that a Class four misdemeanor carries a fine of up to \$500 and also make restitution of the cost of replacement. He also thinks that we could possibly go to a class one misdemeanor for destruction of County Property.

The Board will check on this with Mr. Wingfield in about three (3) months.

Mr. Carter stated he would like to have the Chairman of the IDA to meet with the Board periodically and give them an update on Industrial Development Authority activities.

Mr. Carter then reminded the Board of **Upcoming Meetings:**

January 18, 2005

Joint Public Hearing with the Planning Commission

6:30 p.m.

Town Office – Council Chambers

January 18, 2005

Joint Meeting with the School Board

School Board Conference Room

7:00 p.m.

At 8:20 p.m. Mr. Moore made a motion, seconded by Mr. Conrad to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye.

Samuel E. Carter
Samuel E. Carter, Chairman

On Tuesday, January 18, 2005, the Appomattox County Board of Supervisors and the Appomattox County School Board held a joint meeting in the School Board Conference Room of the School Board Administration Building, on Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Appomattox School Board)

Amy Martin - Chairman
Marcy Jones – Vice Chairman
Cliff Rhodenizer
Todd Pickett

ABSENT: (Appomattox School Board)

R. W. (Bobby) Mitchell

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
Dr. Walter Krug – Division Superintendent of County Schools
Billy Perrow – Director of Business – County Schools
Dorinda Gratsy – Director of Remedial & Special Education – County Schools
Janice Marston – Director of Instruction & Personnel – County Schools
Martha Eagle – Director of Career & Technology Education – County Schools
Annette Bennett – Principal – Appomattox Elementary School
Greg Wheeler – Principal – Appomattox Middle School
Mike Wills – Principal – Appomattox High School
Bob Kerns – Assistant Principal – Appomattox High School
David Read – Assistant Principal – Appomattox High School

At 7:00 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad to reconvene the recessed meeting from the Town Office. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Martin called the Appomattox County School Board meeting to order and turned the meeting over to Dr. Krug.

Dr. Krug welcomed everyone and began his presentation. Some of the things they will discuss tonight will be some of the achievements from 2004 and some of the challenges that they are facing now, the facilities, and other concerns as they may arise. The vision for our schools is that we have students and staff learning and succeeding in a caring environment. They have academic goals, job skills and work ethics, technology and emphasis on citizenship and community service.

Dr. Krug explained that there are four (4) districts used in how our schools measure up: 1) Failing School District; 2) Minimal School District; 3) Adequate School District; and 4) Cutting Edge School District. Appomattox for the most part falls in the Adequate School District. There are some programs that are cutting edge, some that we need to work on, but overall we fall in the Adequate Range. All of our schools are fully accredited by the State but not all of our schools met the Adequate Yearly Progress (AYP) under Federal legislation. A high percentage of our staff meet the Federal definition of "Highly Qualified" teachers. Our staff salaries are not at the fair market value. Some of our facilities are up to date and well maintained (the Elementary School for example). The maintenance staff does the best it can but we still have a number of facility upgrades and maintenance needs.

Dr. Krug continued with the achievement of 2004, the accountability in 2005, and the No Child Left Behind Act.

Dr. Krug talked about the increased funding from federal, state and local levels. He thanked the Board for the additional local funding. This increased funding would allow for more competitive salaries and benefits for employees. This funding also allowed the following programs and services to be added:

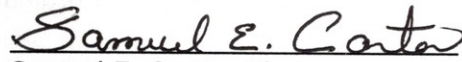
- Appomattox Primary School:
 - An additional class for at-risk 4 year old children
 - Maintenance of small class sizes – 20:1
 - Alternative reading program
- Appomattox Elementary School:
 - An additional teacher for 5th grade
 - Maintenance of small class sizes – 19:1
 - Alternative reading programs
 - Expanded Accelerated Reader and Compass Learning (computer software programs).
- Appomattox Middle School:
 - Reading Teacher
 - Reading class for at-risk 6th grade students
- Appomattox County High School:
 - Year-long English class for at-risk 9th grade students (ACHS is on block schedule; students normally have English for one semester)

- Division-Level:
 - Additional computer technician
 - Instructional technologist services
 - Intensive staff development focused on improving student achievement
- Retained existing programs and class sizes
(in prior years programs such as music, foreign languages and behind-the-wheel driver's education were reduced or eliminated due to funding difficulties)

Dr. Krug continued with the School Facility Needs for each of the County Schools as well as the Alternative Program; Adult Learning Center, the Bus Shop, Maintenance Shop, Storage as well as the School Administration Offices.

Dr. Krug closed by thanking the Board of Supervisors for their interest in our schools and students; their support of the schools and the opportunity to meet to discuss issues of common concern. Other Joint Meetings are scheduled for Monday, March 14, 2005 to discuss the FY'06 School Budget and Monday, October 24, 2005 for an Update on Schools and Six Year Plan.

At 8:05 P.M. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye.


Samuel E. Carter, Chairman

On Monday, February 7, 2005, at 6:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing, in Council Chamber of the Appomattox Town Office, located on Linden Street, Appomattox, to receive comments on the proposed additions and changes and additions to the current Road Ordinance.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
R. W. (Bobby) Wingfield – County E-911 Coordinator

At 6:03 p.m. Mr. Carter opened the Public Hearing and stated the purpose of the Public Hearing was to receive comments on the following ordinance.

PROPOSED ORDINANCE WHICH AMENDS CURRENT ROAD ORDINANCE AND SET FORTH NEW ARTICLES FOR ROAD NAME SIGNAGE AND STRUCTURE NUMBERING.

The purpose of this Public Hearing is to receive comments on the proposed ordinance to amend Article I, Road Naming §133-2., §133-3., and the adoption of Article II Road Name Signage, and Article III Structure Numbering.

This ordinance as authorized in §15.2-1200, §15.2-2019 and §15.2-2024, Code of Virginia 1950, as amended.

Mr. Carter then opened the floor for public comments.

Mr. Wingfield gave a brief overview of the ordinance amendments. In Article I, there were some changes: Article I, §133.2 – Procedures: Item A-6 Initial Road Naming Process change "County Administrator" to "E-911 Coordinator" and Item B-1 Ongoing Road Naming Process "the E-911 Coordinator may name any public or private road (regardless of number of residences on the road) when there will clearly be three residences in the near future". Similar change made to §133.3 Criteria- Item B-6. Articles II and III are new articles as these had not previously been covered.

Mr. Carter called for comments on the proposed changes.

Hearing none regarding this proposed ordinance, at 6:10 p.m. Mr. Carter considered the Public Hearing closed.

Samuel E. Carter, Chairman

On Monday, February 7, 2005, at 6:30 p.m., the Appomattox County Board of Supervisors held its regularly scheduled meeting in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
J. G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation.

At 6:32 p.m. Mr. Carter invited everyone present to join in the Pledge of Allegiance to the American Flag.

At 6:33 p.m. Mr. Carter called for the **Setting of the Agenda**.
There were no changes or additions to the agenda.

Mr. Carter next called for the **Public Comments Period**: This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens.

There were no comments at this time.

Mr. Carter stated the Board at this time wished to recognize Mr. Richard Robinson and Mr. Danny Moon for their service to Appomattox County as members of the Industrial Development Authority. Neither Mr. Robinson nor Mr. Moon were present to receive their Certificate of Appreciation. Mr. Spencer will see that these are delivered.

Mr. Carter then called Mr. William Slagle and Mr. Wayne Lewis of the IDA to give the Board an update on activities of the IDA and answer any questions the Board may have.

Mr. Slagle thanked the Board for the opportunity to update them on activities of the IDA for the past year. First, Mr. Slagle introduced the new members of the IDA – Mr. Buddy Conner and Mr. Winfred Nash.

Mr. Slagle then informed the Board that in 2004, Martin Printwear moved into the industrial park and is doing quite well. But, the year 2004, overall has seen an economic downturn. This is not only true for our area, but statewide as well as most areas of the country. Another industry had expressed an interest in coming to Appomattox and we are still hopeful this will happen. The State advertising budget was cut this past year as a part of budget reductions. We are planning for Region 2000 to help us more with advertising.

This past year, we completed the initial phase of our infrastructure improvements, which included fully activating the sewerage pumping station which serves the entire park and can serve the Community Park as well. We hope you have had a chance to visit our webpage and we are continuing to add information to this site. We are concerned about overall economic development not just industrial development and we have supported tourism type activities such as the Civil War Re-enactments. We are about to enter into a contract with the Re-enactment Committee for this year's event. The IDA plans to use a Broad Band Service to link all industrial sites using high speed internet. This will be done with Tobacco Commission funds. We also have decided to do a Master Plan & Virtual building concept instead of building a shell building.

Mr. Lewis made a power-point presentation of the Master Plan and Virtual Building concept, the layout of the entire park, as well as the smaller lots located off Route 26.

He also gave a brief description of the virtual building, consisting of 40,000 sq. ft., expandable to 60,000 sq. ft. at a cost of 1.8 million dollars. This was designed especially for lot 5 because it is easily accessible, just beyond the existing roadway and also contains additional acreage if needed. This information will be placed on a VEDP website for accessibility.

Mr. Carter thanked Mr. Slagle and Mr. Lewis for their very informative presentation.

Mr. Carter next called Mr. Bobby Wingfield, E-911 Coordinator and Wayne Lewis of Wiley & Wilson to discuss construction estimates for the PSAP.

Mr. Lewis presented the floor plan on the layout for the emergency operations center. They tried to keep everything in place as much as they could and still comply with the recommendations for these facilities. The Clerk's office will be retained as an office. The dispatch center will occupy that portion of the building that is now the main office. It will contain space for four (4) dispatch stations, three (3) at the present time. Immediately off this area will be the service area, containing the computer and communications equipment that will tie in to the outside. There will also be an electrical room where the un-interruptible power supply will be which will be fed through commercial power and a generator source. We are looking at a small generator at the back of the building or possibly tying into the Courthouse generator. The building will also house a mechanical room, a break room adjacent to the emergency operations room. There will also be a security line around the secure perimeter. The windows and the line of sight will have to be bullet proof. Everything that can be done to cut costs and stay within the guidelines, will be done. The cost estimate was developed on our best knowledge for everything included in the schematic design.

Mrs. Ferguson stated a decision would have to be made regarding the old vault door which cannot be used for emergency egress but will have to be moved out at a cost estimate of \$2,500.00. This is one of the things that decisions will have to be made on along the way.

Plans are to have the construction finished by mid-July with the center being in operation by the end of the year.

Mr. Carter asked what time table are we looking at in making a decision on the options presented.

Mrs. Ferguson stated decisions needed to be made now.

Mr. Carter thanked Mr. Wingfield and Mr. Lewis for their presentation.

The Board by consensus agreed to meet at 5:00 p.m. on Tuesday, February 8, 2005 at the old Juvenile & Domestic Relations Court Room in the Administrative Building to discuss this matter further.

Mr. Craft next presented Mr. Richard Martin, Retired Director of Social Services with a plaque of appreciation for thirty (30) years of service to the County.

Mr. Martin thanked the Board and stated it had been a pleasure working with the citizens of Appomattox County and he feels the agency is in good hands. They have a good Board, good leadership and a capable staff.

Mr. Carter next presented the **ADMINISTRATIVE ITEMS:**

1. **Road Viewers Appointments:** Mr. Allen Torrence and Mr. Claude A. Moore have both stated their willingness to serve as road viewers for 2005. All attempts to read Mr. Fitch have been fruitless.

This item was tabled to give Mr. Armbrust the opportunity to recommend someone to fill this vacancy.

2. **AWAG:** AWAG is requesting the use of the Community Center on March 5, 2005 to hold their 5th anniversary celebration. They are also requesting the rental fee be waived.

The Board, by consensus, took no action on this matter.

3. **Request for Boundary Line Adjustment:** A developer has requested a boundary line adjustment for a 65.97 acre parcel that joins the Town of Appomattox. This request is being made in order that the property may be served by water and sewer.

Mr. Overstreet will contact the Town Attorney and report back to the Board as soon as they can research the possibility.

4. **Request from Appomattox Youth Sports, Inc.:** The Appomattox Youth Sports, Inc. has written concerning the problems with the old Appomattox Elementary School gym and the needs that exist for gym space.

There was some discussion about the needs of this facility and the fact that funds were not immediately available for this. We need to keep these needs in mind as we address the study on the old AES facility.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 5-15)

5. **Approval of Minutes:** Please approve minutes of Organizational Meeting on January 10, 2005; Joint Public Hearing on January 18, 2005; and Joint Meeting with School Board on January 18, 2005.

Mr. Conrad made a motion seconded by Mr. Armbrust to approve the minutes with corrections as noted. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Approval of Bills:** Please approve bills for payment as presented.

FUND TRANSFER:

7. **Revenue Maximization Funds:** Please transfer and appropriate by consent \$2,585.00 from Revenue Maximization Funds to the General Operating Fund to pay Central Virginia Community Services Board for Services provided to Appomattox County.
8. **County Administration:** Please appropriate by consent a supplemental appropriation in the amount of \$4,534.13 to cover telephone expenses.
9. **Electoral Board:** Please appropriate by consent a supplemental appropriation in the amount of \$5,300.00 as follows:
 - 1301-1003 – Election Official Wages - \$2,000.00
 - 1301-3002 - Setting up Voting Machines & Supplies - \$2,500.00
 - 1301-8002 - Lease/Rent/Bldg/Equip. - \$800.00
10. **Courthouse Construction Bond:** Please appropriate by consent a supplemental appropriation in the amount of \$4,859.98 for expenses incurred for new courthouse.
11. **Comprehensive Service Act:** Please appropriate by consent a supplemental appropriation in the amount of \$52,279.96 for expenses incurred for at-risk-youth.
12. **Library:** Please appropriate by consent a supplemental appropriation in the amount of \$758.51 as follows:

7301-5411 - Books	\$313.65
7301-5401 – Office Supplies	314.41
7301-5401 – Pamplin Project	130.45
13. **Animal Pound Construction Project:** Please appropriate by consent a supplemental appropriation in the amount of \$5,269.03 for fees associated with site drawing preparation and health department permit fees for the new animal pound.
14. **School Board:**
 - a. Please appropriate by consent a supplemental appropriation in the amount of \$15,074.36 to the school budget to cover funds received from Virginia Department of Medical Assistance.
 - b. Please appropriate by consent a supplemental appropriation in the amount of \$4,922.66 to the school budget to cover funds received from United Way of Central Virginia.
 - c. Please appropriate by consent a supplemental appropriation in the amount of \$7,178.93 to the school budget to cover funds received from Appomattox Literacy Intervention.
 - d. Please appropriate by consent a supplemental appropriation in the amount of \$33,134.00 to the school budget to cover funds received from the Virginia Tobacco Settlement Foundation Grant.

LINE ITEM TRANSFERS:

- 15. E-911 Coordinator:** Please transfer by consent \$1,440.00 from Operation Reserve in the Board's budget to Capital Outlay in the E-911 Budget for asbestos inspection for the PSAP and the Old Oakville School.

Mr. Craft made a motion, seconded by Mr. Moore to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then proceeded with the **INFORMATIONAL ITEMS:** (Items 16-24)

- 16. Appomattox County Planning Commission Meeting Minutes:** Minutes of Planning Commission meeting on January 18, 2005.
- 17. Letter concerning Carver Price Legacy Museum:** Letter received from Senator Frank Ruff in support of the Carver Price Legacy Museum.
- 18. FY2005 Officers for the Planning Commission, BZA and the IDA:** Mr. Spencer has provided a list of the FY2005 officers for these Committees.
- 19. Virginia Water Central Newsletter:** Since the Board is studying the best way to provide water to the County this article may be of interest.
- 20. VDOT Quarterly Report:** Quarterly Report for 2nd Quarter.
- 21. Animal Pound Construction Status:** Ad was placed concerning bidding on the construction of the animal pound. Also estimate cost for project.
- 22. Robert E. Lee Soil & Water Conservation District:** Minutes of Board of Directors Meeting held on November 18, 2004.
- 23. School Board Financial Report:** Monthly financial report for January 2005.
- 24. Supervisor Concerns:** Discussion centered around the changes that needed to be made in the BYLAWS AND RULES OF PROCEDURES FOR THE APPOMATTOX COUNTY BOARD OF SUPERVISORS MEETINGS.

Mr. Conrad suggested that under Ciitizens Comment Period the sentence reading *"Speakers shall be limited to speaking on items included on the current meeting's agenda, but not on the public hearing calendar for the day"*, should be eliminated. He feels we are doing the citizens a disservice by not allowing them to speak on any subject they want to speak on.

Mr. Conrad also addressed the last paragraph under Public Appearances. *"Any person speaking before the Board who represents himself as an officer of or representing an organization, group, association, corporation, or other entity not generally known to the Board shall, upon request by any member of the Board, disclose for the organization, the history, size, dues, structure, date of creation, requirements for membership, tax status; etc"*. We need to explain why we would need this information, especially if we had not heard of or had any dealing with said organization, group or individual.

Mr. Conrad also stated that we need to address these two issues as well as correct some grammatical and some spelling errors, at the next meeting on February 22, in order to finalize this document.

Mr. Carter next discussed the changes necessary for the upcoming meetings.

UPCOMING MEETINGS

**February 22, 2005
6:30 p.m.
Board of Supervisors Regular Meeting
Old Appomattox Elementary School Cafeteria**

**February 28, 2005
6:30 p.m.
Joint Meeting
Board of Supervisors and Appomattox Town Council
Appomattox Community Center**

**March 7, 2005
Board of Supervisors Regular Meeting
6:30 p.m.
Town Office – Council Chambers**

At 7:45 p.m. Mr. Carter called for a ten (10) minute recess to await the arrival of the Auditor, Mr. Paul Lee.

At 7:57 p.m. Mr. Carter reconvened the meeting.

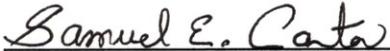
At 7:58 p.m. Mr. Moore made a motion, seconded by Mr. Armbrust, to adjourn until 5:00 p.m. on February 8, 2005 at the old J & D Court room.

At 8:05 p.m. after the arrival of Mr. Paul Lee of Robinson, Farmer & Cox Associates, Mr. Moore made a motion, seconded by Mr. Armbrust to reconvene the regular meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Lee presented the Board with the FY2004 Independent Auditor's Report. He reported that the County financial condition on an accrual basis is good. We are not eating into our net assets. The General Fund has a 4.3 million dollar balance. This represents 17% of the overall budget. This is right in the area where we want to be. Also there were no irregularities found.

Mr. Carter thanked Mr. Lee for his favorable report. He also congratulated Mrs. Ferguson and her staff on providing this information to the auditors.

At 8:15 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to recess until 5:00 p.m. on February 8, 2005 in the old Juvenile & Domestic Relations Court. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, February 8, 2005, the Appomattox County Board of Supervisors held a recessed meeting at 5:00 p.m. in the old Juvenile & Domestic Relations Court located on the upper level of the County Administration Building on Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad - Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 Robert (Bobby) Wingfield – County E-911 Coordinator
 Wayne Lewis – Wiley & Wilson

At 5:00 p.m. Mr. Craft made a motion, seconded by Mr. Conrad to reconvene the meeting recessed from Monday, February 7, 2005. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Lewis discussed the Construction Costs Estimate Summary for converting the Old Clerk's Office into the E-911 Emergency Center. He called specific attention to some changes on the original summary given to the Board members.

There was some discussion regarding the use of a separate generator as opposed to connecting to the generator at the new court house, the asbestos study done on the Clerk's Office building and the old Oakville School building, the number of employees on each shift, etc.

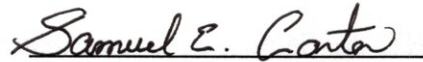
After a lengthy discussion, Mr. Craft made a motion, seconded by Mr. Moore, to approve the Construction Cost Estimate for the E-911 Emergency Center. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mrs. Ferguson informed the Board that she had received confirmation from VDHCD that we got the \$25,000 Planning Grant. They will start releasing the money soon. We will have to get the feasibility study done and look at the facility to see what will work best.

Also, there was some discussion regarding the problems with the lease between the County and the Carver-Price Alumni Association on a portion of the old Elementary School Building. We presented them with a lease of our terms and now they will come back with what they can and cannot do and if we can make these adjustments. We can say yea or nay to their conditions.

We also need to look into exactly how this building can be utilized and what is best for the County.

At 6:16 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent).


Samuel E. Carter, Chairman

On Tuesday, February 22, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the old Appomattox Elementary School Building located on Confederate Boulevard, Appomattox, Va.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to give the invocation.

Mr. Carter then had those present join in the Pledge of Allegiance to the Flag of the United States of America.

Mr. Carter asked for the **Setting of Agenda:**

Brian David, County Administrator of Amherst County will not be present and was removed from the Agenda.

Mr. Carter next called for **Public Comments:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Hearing no public comments, Mr. Carter next asked **Ms. Ora McCoy, Chairman-Board of Directors, Carver-Price Alumni Association; Carolyn Bell, Professor of English-Randolph Macon Women's College; Sally Goodrich, Art History Major-Randolph Macon Women's College and Ms. Willie Thornhill of the Lunchburg Legacy Museum,** to address the Board concerning the Carver-Price Legacy Museum.

Ms. McCoy stated that as a citizen of Appomattox County, where the civil war ended and where our nation was reunited, I am excited about fulfilling that burning desire to establish a Carver-Price Legacy Museum here in Appomattox. Think of what a museum would mean to tourist who visit Appomattox. Appomattox will be a beacon for other towns and counties celebrating their history.

As we celebrate Black History month and heal from the injustices of the past, it is time that we educate our youth as to how far we have come by honoring those who made so many sacrifices and even gave their lives to make our accomplishments possible.

We are counting on our leaders to help pave the way to this reality.

Not only does Carver-Price Alumni Association want to present accurate history to our children, we have others with the experience, knowledge, skills and expertise that are willing to assist the Alumni Association in establishing our Carver-Price Legacy Museum.

Ms. McCoy also read a portion of a letter received from the Virginia Foundation for Humanities. "In response to your request, I have reviewed the materials you sent from the Carver-Price Alumni Association, including the history of Carver-Price School. I recommend that you nominate the Carver-Price site to be included in the African American Heritage database. The African American Heritage program of the Virginia Foundation for Humanities encourages organizations, such as your Alumni Association, to preserve and celebrate the history that you have so clearly identified. The concept of the legacy museum is designed to honor the educational contributions of Carver-Price School certainly has merit. As you pursue your goal of establishing the museum, the Foundation may be called upon to support initiatives as follows: undertaking research, develop interruptive plains, create new promotional and educational materials, train interruptive players and volunteers, plan and carry out new educational programs for a lecture series, community forums and radio programs."

Ms. McCoy introduced Ms. Carolyn Bell and Ms. Sally Goodrich – Randolph Macon Women's College.

Ms. Bell stated that a museum always needs more space. This museum could have a place on the African American Heritage Trail which is sponsored by the Virginia Tourism Commission. By being a part of this Commission, it would bring in revenue in the form of tourism dollars to the County. Ms. Bell also described how you create a museum from scratch – start with a committee group and apply for grant monies. You then use the grant monies to hire museum professionals such as a designer and a curator. There are people who will come and help with this for free on a short-term basis. Ms. Bell finished by inviting everyone to visit the Legacy Museum at 4th and Monroe Streets, in Lynchburg.

Ms. Sally Goodrich stated she was a student at Randolph-Macon College with a major in Art History. She wanted to make two (2) points tonight. One is that Sweet Briar, Randolph-Macon and Lynchburg College all have museum study programs and they all provide students to go out in the field and get practical experience. The second point is that the minority American history material culture is the fastest growing field in museum work today. The fact that you are

considering this, puts you right on the cutting edge and you have three (3) schools from which to draw up and coming museum professionals. You have a pool of free labor in your back yard.

Ms. Willie Thornhill stated that she is a Board member of the Legacy Museum of African History. Appomattox has a group of citizens that you should be really proud of because they are taking the gauntlet and going with it, trying to bring some of Appomattox to life. You have access to organizations that can be really important to your community. Most of the grants being awarded today are going to Indians, Afro-Americans and other minority cultures. You have the opportunity to move forward and make everyone proud of what you have here.

At 6:55 p.m. Mr. Carter called for a five (5) minute recess before beginning the joint public hearing.

At 8:00 p.m. Mr. Carter reconvened the Board Meeting and called for the next item on the agenda.

Blair Smith and Linda Jones, Dominion Seven Architects: Mr. Smith & Ms. Jones are here to update you on the progress of the animal pound.

Mr. Smith presented the Board Members with a listing of the bids received on the animal pound. There were a total of five (5) bidders. He felt they were all good bids and the pricing was very much in line. The low bid was \$518,500. They also received an alternate bid for surface treating the parking lot of \$3,300. They are still working through some final numbers and they feel there are some additional saving to be had.

His recommendation is that the Board enter into a contract with J. Harmon Saunders for \$521,800 as a not to exceed amount and give Mrs. Ferguson, Chris and himself some time to work that number down. This would be a turn-key job and the project should be completed in about 5 months.

Mr. Carter thanked Mr. Smith for his presentation.

Mrs. Ferguson explained that there are other projects being considered at the present time. She is presently working on ways to finance these projects: The Animal Pound, The Emergency Control Center, the Landfill and possibly the Regional Jail.

Mr. Craft made a motion, seconded by Mr. Moore, to enter into a contract with J. Harmon Saunders of South Boston for the construction of the Animal Pound with alternate #2. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for action on the **ADMINISTRATIVE ITEMS:** (Items 1 – 6)

1. **Amendment to Road Ordinance:** A public hearing was held on February 7, 2005 on the proposed amendment to the Roads Ordinance.

Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following Ordinance as amended:

ROADS

§ 133-1. Intent.

§ 133-2. Procedure.

§ 133-3. Criteria.

ARTICLE I

Road Naming -Adopted, 1-22-2001

[Amended 02-22-05]

§ 133-1. Intent.

The intent of this ordinance is to establish formal procedures and criteria for naming roads as part of the county's Enhanced 9-1-1 ("E-911") Program. The ordinance seeks to strike a proper balance between expeditious selection of road names and providing the general public with ample opportunity to speak on the choice of names.

§ 133-2. Procedure.

Upon adoption of this ordinance, the governing body shall follow the procedures outlined in §133-2(A), *Initial Road Naming Process*. Upon completion of the aforementioned process, the governing body shall thereafter follow the procedures outlined in §133-2(B), *Ongoing Road Naming Process*.

(A) Initial Road Naming Process

- (1) Upon adoption of this ordinance, a moratorium shall be placed on all requests to name or re-name roads in Appomattox County with the exception of requests introduced in accordance with this §133-2(A). This moratorium is necessary to expedite the naming of roads in conjunction with the implementation of the county's E-911 Program.
- (2) The governing bodies of the County, the Town of Appomattox, and the Town of Pamplin, working in conjunction with the Public Safety Committee, shall appoint a selection committee for the recommendation of road names. The committee shall be composed of one member from each of the following voter districts or governmental jurisdictions:
 - a. Wreck Island District
 - b. Piney Mountain District
 - c. Appomattox River District
 - d. Courthouse District
 - e. Falling River District
 - f. Town of Appomattox
 - g. Town of Pamplin
- (3) The selection committee shall recommend road names according to the criteria outlined in §133-3. Each member of the selection committee may form their own subcommittee of not more than three (3) residents from their voter district or governmental jurisdiction to assist in the research and selection of road names. The selection committee shall first select names for public roads, then select names for private rights-of-way that comply with §133-3 of this ordinance.

- (4) Names selected by the committee shall be forwarded to the respective governing body for public hearing according to a schedule to be approved by the governing bodies. A list of proposed names shall be posted in the local newspaper for two weeks prior to public hearing and residents shall receive notice by mail of the public hearing affecting their road or street name. Written comments on proposed road names may be received by the Office of Building and Housing for report during the public hearing.
- (5) Within one month of the public hearing, the respective governing body shall vote to approve or disapprove the proposed names. If a road name is disapproved, the selection committee shall recommend an alternate name to present at a future public hearing designated in the schedule approved by the governing bodies. Within one month of this second public hearing, the governing body shall select a name from those proposed by the selection committee.
- (6) When initial names for all roads and selected rights-of-way are approved by the respective governing bodies, the moratorium specified in §133-2(A)(1) shall be lifted and future proposed road names shall follow the procedure outlined in §133-2(B). All approved names shall be added to the Appomattox County Road Name Index to be maintained by the E-911 Coordinator. **[Amended 02-22-05]**

(B) Ongoing Road Naming Process

- (1) Administration. E-911 Coordinator is hereby designated as the agent of the Board of Supervisors and is responsible for the administration, implementation and enforcement of this §133-2(B). The agent may delegate certain responsibilities assigned to him to other persons and/or agents with the prior consent of the governing body. The E-911 Coordinator may name any public or private road (regardless of number of residences on the road) when there will clearly be three residences in the near future. **[Amended 02-22-05]**
- (2) No road within Appomattox County shall be assigned a name on a subdivision plat or otherwise until such name is registered with the agent and added to the Appomattox County Road Name Index. The agent shall have the authority to refuse registration of any name already in use, any name deemed confusing for purposes of emergency response, or any name that does not follow the naming criteria outlined in §133-3.
- (3) No street or road name currently shown on a subdivision plat filed with the county or otherwise shall be implemented by a subdivision owner until such name has been registered with the agent and added to the Appomattox County Road Name Index; provided, however, that this section shall not apply to any street or road presently constructed on which street signs have been placed prior to the effective date of this chapter. The agent shall have the authority to refuse registration of any name already in use, any name deemed confusing for purposes of emergency response, or any name that does not follow the naming criteria outlined in §133-3.
- (4) The owner of any subdivision or other development shall erect or cause to be erected, at his expense, street signs in conformance with adopted regulations on signage at any and all intersections within such subdivisions or development

upon the construction of any street on or after the effective date of this chapter. Where any subdivision owner is currently required to erect street signs but has failed to do so, the future erection of street signs shall be in conformance with adopted regulations on signage.

- (5) Changing street names. The Board of Supervisors will consider name changes as proposed by petition of a majority of the property owners on a named road. The petitioners of any road name change shall also agree to accept responsibility for one hundred percent (100%) of the cost resulting from the Board's approval of their petition. The full payment of this cost including but not limited to GIS mapping, signage shall be received by the county prior to the official changing and use of the new road name. **[Amended 02-22-05]**

§ 133-3. Criteria.

- (A) The proposed name shall be a unique name that is clearly phonetically and alphanumerically distinguishable from any other name in use. Use of directional prefixes (North, Southeast, etc.) or differing suffixes (street, road, avenue, etc.) added to duplicate street names shall not suffice to create a unique road name.
- (B) Existing street names
 - (1) Efforts will be taken to preserve names already in place in the Towns of Appomattox and Pamplin, as well as streets named by developers or neighborhood committees in the County.
 - (2) Where a name for a road in the County conflicts with a pre-existing name in the Towns of Appomattox or Pamplin, the Town street name shall prevail.
 - (3) Where feasible, roads crossing into Appomattox County from adjacent jurisdictions should retain the name given by the adjacent jurisdiction.
- (C) All roads within the state maintenance system shall receive names. The E-911 Coordinator may name any public or private road (regardless of number of residences on the road) when there will clearly be three residences in the near future. **[Amended 02-22-05]**
- (D) A street with one name shall serve all multifamily dwelling complexes, including apartment complexes, townhouses and condominium developments, manufactured home (single and doublewide) parks, and other similar uses unless the *agent* finds that, in the interest of public safety, the naming of more than one street in or near the development is warranted. **[Amended 02-22-05]**
- (E) Guidelines. The following guidelines shall be used in naming or renaming roads:
 - (1) Road names selected shall conform with the Virginia Department of Transportation's (VDOT) signage guidelines and regulations.
 - (2) Use names with historic or geographic value which are descriptive of the road.
 - (3) Encourage the use of one and two syllable names.

- (4) Do not use uncommon name spellings or words that may have multiple common spellings.
- (5) Assign only one name along a continuous roadway. Where a permanent break in the road exists, a new name may be assigned to each segment. A permanent break may consist of but is not limited to a river, stream, and/or intersecting road where continuous access is not available between the two (2) segments without crossing another road.
- (6) Avoid the use of personal or family names, except in the case of local historical figures.
- (7) Avoid the use of letters (i.e., Q Street), numbers (1st), numeric names, and compass designators (Fifty-Second and North).

ARTICLE II
Road name Signage
[Adopted 02-22-05]

§ 133-4. Intent.

The intent of this Article is to establish uniform design criteria for the installation of road name signage in Appomattox County in conjunction with the County's Enhanced 9-1-1 ("E-911") Program. This will ensure that all signage clearly and efficiently identifies the location of public and qualifying private roads throughout the County, and that signage will be installed in locations that do not adversely impact traffic sight distances or pose other safety hazards.

§ 133-5. Criteria.

All signage for public roads and qualifying private roads shall be installed according to the following guidelines:

- A. All sign hardware shall meet minimum design criteria as utilized by the Virginia Department of Transportation (VDOT). Sign hardware shall include, but not be limited to, sign blades, posts, and mounting brackets.
- B. Installation and signage location shall be in accordance with VDOT guidelines.
- C. The color of all sign blades for public and private roads shall consist of white reflective lettering on a blue background. All private roads requiring signage shall also include the designation "PVT" in the upper right corner of the blade immediately above the road name suffix.
- D. Sign structures (post) and mounting brackets shall be a minimum of 2 3/8 inch outside diameter round galvanized steel with a minimum 0.065 inch wall thickness. Mounting brackets, post caps, and related hardware shall be adaptable to the post and of the same material as the post.
- E. All sign structures (post), post caps, sign brackets and related hardware must conform to the Road and Bridge Specifications 2002 section 233.

§ 133-6. Procedure.

- A. Developers and / or subdivision owners that cause new public or qualifying private roads to be constructed shall erect road name signage in accordance with this Article, and shall bear all costs in accordance with Article I, § 133-2 (B)(4) of this ordinance.
- B. The County shall be responsible for installation of road name signage for all existing private roads which qualify for a road name upon adoption of this ordinance.

ARTICLE III
Structure Numbering
[Adopted 02-22-05]

§ 133-7. Intent.

The intent of this Article is to establish regulations for the posting of structure numbers for all addressable structures in Appomattox County in conjunction with the County's Enhanced 9-1-1 ("E-911") Program. This will ensure that all addressable structures can be clearly and efficiently identified by fire, rescue, and law enforcement agencies in response to emergencies.

§ 133-8. Criteria.

- A. Assignment, Display and Placement of Official Structure Numbers
 - 1. Display of Structure Number. Each resident shall be required to display and maintain a structure number that identifies the primary structure located on the property. Residents and Business owners shall be responsible for obtaining, and maintaining an address marker placard that is consistent with the guidelines found within this ordinance.
 - 2. Construction of Structure Number Marker: Address Marker Placards for County structures shall adhere to as closely as possible the following minimum specifications:
 - a. Carsonite # CIB-380 54" blue flexible address markers (or equivalent)
 - b. 3" white HI intensity reflective numbers
 - c. Address numbers shall be of a contrasting color from the background
 - d. Address markers to be numbered on both sides
 - e. Numbers shall be placed vertically on installed placard.
 - 3. Placement of Address Marker Placards. Address Marker Placards shall be installed using the following guidelines:
 - a. Address markers shall be installed near the principal entrance to the property, and in a manner as to be legible from both directions along the private or state maintained road on which the property is located.

- b. Address markers shall be installed outside of the Virginia Department of Transportation's maintained right-of-way, but ideally no more than three feet inside the property line.
 - c. Sign blades shall be installed perpendicular to the road centerline.
 - d. When more than one structure requires the placement of an address marker at a shared access point, the signs shall be installed with the lowest number closest to the right-of-way line and subsequent numbers placed in a co-linear fashion.
4. Removal of Other Numbers. It shall be the duty of the property owner or property manager, upon affixing the address number, to remove any different number which might be mistaken for or confused with, the number assigned to that property by the E-911 Coordinator.

§ 133-9. Procedure.

- A. Assignment of New Numbers. Structure numbers shall be assigned to each residence upon submission of a building permit application. No certificate of occupancy shall be issued for any principle building until the E-911 Coordinator has supplied the official structure numbers to the Building Inspections Department. Temporary structure numbers, including road name, shall be displayed by the building permit applicant on the site during the construction phases to facilitate inspections and delivery of emergency services prior to occupancy.
- B. No Certificate of Occupancy shall be issued until the structure number has been posted according to the provisions of this Article.

§133-10. Enforcement.

- A. Modifications, Applicability and Enforcement
 - 1. Modification and Adjustments. In applying the guidelines specified herein, the E-911 Coordinator shall have the authority to make minor adjustments and modifications to ensure a logical and efficient road address system.
 - 2. Applicability. The provisions of this Ordinance shall be applicable in all areas of Appomattox County.
 - 3. Violations. Whenever the E-911 Coordinator has reason to believe there has been or there exists a violation of this Ordinance, the County shall give written notice of such violation to the person or organization failing to comply, and order said person or organization to take corrective measures within thirty (30) calendar days from the date that notification is sent by first class mail to the address on file at the Commissioner of Revenue's office. If such person fails to comply with the duly issued order, the County shall initiate necessary actions to terminate the violation through criminal or civil measures. Any violation of this ordinance shall constitute a Class 4 misdemeanor. Subsequent to the thirty (30) day period following notification of violation, each day of the violation shall constitute a

separate violation. Any person, firm or corporation that damages or destroys a road sign, sign structures, structure number marker will meet the total burden of all costs associated with the replacement.

4. **Effective Date.** This Ordinance shall be effective immediately upon its adoption by the Board of Supervisors.

THESE WILL BE ADDED AS NECESSARY BASED ON THE NAMING AND
NUMBERING PROCESS

§ 133-11. Definitions.

- A. **E-911 COORDINATOR** - shall mean the Board of Supervisors of Appomattox County, or its designee.
- B. **POINT OF ORIGIN** - shall mean the point at which a particular road begins its addressing sequence.
- C. **PRIMARY STRUCTURE** shall include, but not be limited to: residential building, manufactured home, commercial building, industrial building, office building, public building, church/place of worship, pay telephone, pump station, communication tower, utility tower, substation, or other structure that may require address identification to facilitate the timely response to an emergency situation.
- D. **STRUCTURE NUMBER** - shall mean the number assigned to consecutive intervals along a road pursuant to the Number Assignment Formula contained herein. The term House Number and Building Number shall be considered synonymous with Structure Number for the purposes of this ordinance. Numbering Interval shall mean the distance along a roadway covered by this ordinance of 5.28 feet, there being 1000 intervals per mile (5,280 feet).

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Appointment to the CPMT to replace Richard Martin:** Barry Elder, the new Director of the Department of Social Services, needs to be officially appointed to the CPMT.

Mr. Craft made a motion, seconded by Mr. Conrad, to appoint Barry Elder, the new Director of the Department of Social Services to the CPMT. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Road Viewer Appointment:** Mr. Armbrust is not ready to make a recommendation at this time.

This item was tabled until the March 7, 2005 meeting.

4. **Bylaws and Rules of Procedures Amendments:** Mr. Overstreet has reviewed the sections that were in question on February 7, 2005 and is prepared to offer his recommendations.

Mr. Overstreet stated that the two sections we were looking at were the Citizen's Public Comments and the Personal Appearances of persons representing a corporation or organization. If we stay with the three (3) minute time limit, we need some type of timer to ensure we stay within the time limit. These rules are appropriate according to Federal Court cases and Constitutional Law. One thing we have to remember in applying these rules is we have to be "content neutral" when we have a speaker to come up.

On Public Appearances we don't have a time period and we may not need to establish one. It appears that these appearances are placed on the agenda in increments of fifteen (15) minutes and it may be good to continue in this manner. There seems to be some concern regarding the disclosure of dues, etc. for some organizations that may wish to appear before the Board.

The Board will reconsider this issue at the March 7, 2005 meeting.

5. **Daytime Pre-hospital Emergency Medical Care for Appomattox Citizens:** Representatives of the County of Appomattox, the Town of Appomattox, the Appomattox County Rescue Squad, the Appomattox Sheriff's Department and various businesses in the community have been meeting to come up with a solution to the problem of getting emergency medical service provided during the day. Some very good ideas have resulted. However, they do not have a recommendation at this time. Hopefully, a Memorandum of Understanding will be developed and presented for approval at the next Board meeting.

Mr. Conrad stated we have a continuing situation here which seems to elevate itself and he doesn't see where there will be a decline in this and he feels it is incumbent upon the Board to certainly do what is necessary to ensure proper emergency medical care to the citizens of the County.

Mr. Armbrust and Mr. Craft both agree with Mr. Conrad that the Board needs to move forward with providing some medical assistance during the day.

6. **Board Meeting Place:** There has been considerable concern about a set meeting place for the Board of Supervisors that would also provide a place for the Planning Commission to hold its meetings in the same location. There are several alternatives, one of which is the Old Elementary School. However, there are some drawbacks to this building – heating, cooling and electrical problems. Another location would be the upper level of the County Administration Building, however there is a space limitation. It was also suggested that the Administration Office be moved to the upper level and renovate the lower level for this purpose. Estimates have been received as to the cost of this plan.

Ms. Ferguson explained to the Board what needs to be done in order to renovate the upper level of the Administration Building at an estimated cost of \$12,000.00. This would still not give the adequate room needed for a meeting room. It has been suggested that the upper level be

renovated to house the Administrator's Office staff and remove the partitions in the lower level and install handicap rest rooms and create a meeting room in this area.

Mr. Craft stated his appreciation to the Town for the use of their building. However, the Board of Supervisors needs a home of its own. If there were funds available, the old Courthouse could be used, but the County at this time does not have \$500,000.00 to use for this purpose.

Mr. Armbrust wanted to know if the upper level would provide adequate space for the Administrative Staff. Ms. Ferguson, stated that with some renovations, she feels this space would be adequate. It would be nice to have a meeting place in the same building with the Administrative Office, creating an easy access to materials when the need arises. She feels this can be done with a minimal amount of funds spent.

Mr. Conrad stated that the lower level can be redone to make an adequate meeting room for the Board to accommodate 150 or more people.

Mr. Moore suggested that the Old Courthouse be renovated and use this for the Board Meeting room. Since this is a historical building and money has to be spent to repair it and we did use it as a meeting place of many years he suggests that we remodel this building. The main obstacle at the present time is that this building is not handicap accessible.

After a lengthy discussion, the Board asked Ms. Ferguson to get some estimates as to what it will cost to make the old Courthouse handicap accessible and up to ADA standards.

Mr. Carter next called attention to the **CONSENT AGENDA:** (Items 7 – 16)

7. Approval of Bills: Please approve bills for payment as presented.

FUND APPROPRIATIONS:

8. Asset Forfeiture Account (Commonwealth Attorney):

Please appropriate by consent the amount of \$2,535.50 from the Commonwealth Attorney's Asset Forfeiture Account to pay for half of the security system that he requested for the door into his office.

SUPPLEMENTAL APPROPRIATIONS:

9. Board of Supervisors: Please appropriate by consent \$5,064.53 as a supplemental appropriation for the telephone bill for County Offices.

10. Sheriff's Department: Please appropriate by consent \$254.00 as a supplemental appropriation to the Sheriff's budget for restitution received for damage done to an officers eyeglasses.

Please appropriate by consent \$304.00 as a supplemental appropriation to the Sheriff's budget for a grant received from the U. S. Department of Justice.

Please appropriate by consent a supplemental appropriation in the amount of \$11,256.00 to the Jail budget for housing inmates at other facilities.

11. **Rescue Squad:** Please appropriate by consent a supplemental appropriation in the amount of \$113.50 for additional funds received from the Two For Life Fund.
12. **E-911:** Please appropriate by consent a supplemental appropriation in the amount of \$210.43 to pay expenses to Wiley & Wilson for services provided in designing the PSAP.
13. **Courthouse Construction Bond:** Please appropriate by consent a supplemental appropriation in the amount of \$7,605.63 to cover expenses for the new courthouse.
14. **Library:** Please appropriate by consent a supplemental appropriation in the amount of \$677.23 to the Library budget for funds collected.
15. **Animal Pound Construction Project:** Please appropriate by consent a supplemental appropriation in the amount of \$2,944.56 for services provided by Dominion Seven Architects in designing and bidding the Animal Pound.

LINE ITEM TRANSFERS:

16. **E-911:** Please transfer \$30,855.11 from 1101-5804 Operating Reserve to E-911 3606-7009 to pay for professional services.

Mr. Moore made a motion, seconded by Mr. Conrad to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **INFORMATIONAL ITEMS:** (Items 17-21)

17. **Landfill:** They will be proceeding to haul waste to a neighboring county as anticipated.
18. **Traffic Engineering Study Route 664:** VDOT has completed the traffic engineering study on Route 664 and found that it was appropriate to reduce the speed limit in certain areas to 45 MPH.
19. **Planning Commission Minutes:** Planning Commission minutes for the January 18, 2005 meeting for your review. No action necessary from this meeting.
20. **Department of Environmental Quality:** Compliance inspection report for the landfill and the baler building. No violations noted.
21. **Appomattox County Parks, Recreation & Tourism Department – February 2005 Report:** Mrs. Dixon's report for the month of February.

Mr. Conrad complimented Ms. Rockefeller and her staff on doing a tremendous job at the landfill and as a result we have received good reports from the Department of Environmental Quality.

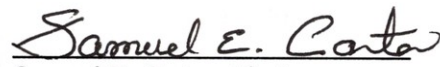
Mr. Carter called for **SUPERVISOR CONCERNS:** No one had anything to discuss at this time.

Mr. Carter then called attention to the **UPCOMING MEETINGS:**

**February 28, 2005
Joint Meeting with the Town of Appomattox
Appomattox Community Center
6:30 P.M.**

**March 7, 2005
Board of Supervisors Meeting
Town Office – Council Chambers
6:30 p.m.**

At 8:22 p.m. Mr. Moore made a motion, seconded by Mr. Conrad to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, February 22, 2005, at 7:00 p.m., the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, the Appomattox Town Council and the Appomattox County Board of Zoning Appeals held a joint Public Hearing at the old Appomattox County Elementary School, located on Confederate Boulevard, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien, Chairman
Al Sears
Calvin Tanner
Marvin Mitchell
Jerry Hughes
Robert Johnson
Barry Morris
Shannon Dews
Steve Conner
Bryan Baine

PRESENT (Board of Zoning Appeals):

Dot Wooten
Cliff Harvey
James Cheatham
Wesley Hamlett

ABSENT (Board of Zoning Appeals):

Dale Campbell

PRESENT (Appomattox Town Council):

Ronnie Spiggle, Mayor
Marvin Mitchell
Norman (Jimmy) Mayberry
Joyce Bennett
Lewis McDearmon
John Wilson

ABSENT (Appomattox Town Council):

Steve Lawson

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Carter then asked Mr. Spencer to read the first petition:

Mr. Spencer read petition #**05-1217 – Richard and Mary Scheideler and Helen Haney**: Application for Rezoning a parcel located at 100 Linden Street between Court Street and Burke Street on the South side of the N&S Railroad tracks in the Town of Appomattox to R-2 Residential. Property is Tax Map #64A5(A)81, zoned B-1 Business. The applicants intend to occupy said property as a residence.

Mr. Spencer called for comments for or against this petition.

Hearing none, Mr. Spencer read the next petition:

04-547 – David Leonard, Jr. – The applicant is requesting a variance from §170-80 and Table 2 of the Code of Appomattox County in order to construct a new single-family dwelling within twelve (12) feet of a front property line and within twenty (20) feet of a side property line where fifty (50) feet and twenty five (25) feet are required respectively. Subject property is a portion of Tax Map #8(1)10 and is located on Route 623 between Route 605 and the James River, containing 3.00 acres of land is zoned A-1 Agricultural.

Mr. Spencer called for comments on this petition.

Mr. David Leonard came forward and stated he was with Jim Walter Homes. He is here representing Mr. & Mrs. Amos. He stated that the five (5) foot infringement is with a neighbor and the other infringement is between Mr. Amos and his son. Mr. Amos intends to give this property to his son to build a home on in order to be close to them as they grow older.

Mr. Spencer called for other comments.

Hearing none, Mr. Spencer read the next petition:

04-547 – Hugh Radcliffe and Joan Rockwell – The applicants are requesting a Conditional Use Permit to operate a rustic retreat offering fee-based lodging and nature activities in existing and planned structures on Route 623 between Route 605 and the James River. Subject property, Tax Map #s 8(3)B, 8(3)B1, 16(A)2, 16(A)3 and 16(A)9, is 274 acres in size and is zoned A-1 Agricultural.

Mr. Spencer called for comments for this petition.

Hugh Radcliffe of Route 2, Box 94P Concord, Va. came forward and read a statement prepared for this meeting.

February 22, 2005

Dear Members of the Board of Supervisors and Members of the Planning Commission,

My wife, Joan Rockwell, and I, Hugh Radcliffe, own 274 acres on State Route 623. We call it Rockcliffe Farm.

We are certified under the Tree Farm Program and the Virginia Forest Stewardship Program.

We have been inspected by the Army Corps of Engineers for dam site approval and the inspector said we have one of the larger acreages of inland wetlands.

We have been visited by the Ducks Unlimited site inspector for wildlife habitat improvement. He thought we were doing good so far, keep it up.

We are members of the James River Association.

We have hosted the College of William and Mary Geology Department and the Lynchburg Gem and Mineral Society has been visiting our property twice a year for several years.

We plan to continue providing our property to these and other groups.

Our most recent addition to our property was the purchase of the Snyder's home and their 47 acres. This allowed the continued protection of more forestland. We plan to offer the house as a vacation rental.

We refer to this house as Rockcliffe Farm Lodge. We hope it will provide additional lodging and a base from which to explore Appomattox County and other surrounding attractions.

Interest has been expressed by Longacre Bed and Breakfast and Spring Grove Farm Bed and Breakfast to use our property as a place for their guests to escape to the woods and the river during their visit with them.

Our request for the conditional use permit would allow us the option to charge a fee for this service, a service we had been providing free to interested groups so far.

We grant permission to our neighbors, who ask, to hunt or use our river access, as many of our neighbors had used the land before our purchase of it. We plan to continue this with our neighbors.

The neighbors we were able to contact about our proposed use were very supportive of the idea of renting the lodge and allowing the use of our land for other outdoor recreation. They were concerned about guest hunting. We do not plan to offer hunting to our customers, but only to our neighbors and friends.

Another concern by one neighbor was their privacy, noise and traffic. We share a road with this neighbor on the backside of our property on the way to the river access. My wife and I measured the distance from the share road and property line to the neighbor's vacation home. It is approximately 200 feet. They have removed all of the trees on their property between their house and the property line, so they have no screening when we or our guests travel to the river.

My Wife and I have marked a new road site beginning 200 feet into our woods and intersecting the existing road several hundred feet down hill. This would provide approximately a 400 foot buffer between their house and the road used.

We will not be allowing our guests off-road vehicle use, although many of the neighbors travel the present road regularly on their four-wheelers. The guest vehicle traffic would be and if allowed to charge fees, would then be able to afford better road maintenance.

We own approximately 1200 feet of river frontage. We have an open area near the middle, approximately 50 feet wide, that we use for picnics, camp-outs, and river activities. The balance of the river frontage is wooded as desired for riparian buffer.

We have no interest or desire for large groups.

The lodge has 3 bedrooms, and 4 full bathrooms. Its capacity is 16 overnight guests. We do not plan on having RV hookups, although some guests may travel by RV.

We hope to protect the natural woodland environment that exists. That is why we continue to purchase neighboring properties as they become available and we can afford them.

The granting of the permit would allow the proposed fee-based activities and with the lodge rental, would provide income to continue the ability to provide the resources for protecting the rural open space. Our sign for the Tree Farm, provided by the State Forester, states its purpose as protection and providing of "Wood, Water, Wildlife and Recreation."

We hope the steps taken and proposed of restricted group size, property boarder-marking, new trails cut and new alternate road and river access will provide our neighbors with solutions to their concerns of preserving the privacy, peace, and quiet of our rural homes.

Thank you.
Respectfully,
Hugh Radcliffe

John Ratkowski who lives on Route 623 came forward and stated he is a neighbor of the applicants. Safety is his first concern. He is not against horses, but he is afraid someone will wander onto his property and get hurt. He is not against this petition but he would prefer that the applicants put up a fence.

Ms. Valeria Bishell stated she lives in Campbell County. She stated she knows the applicants from church and other civic groups. They are chairtable, thoughtful people. They will go out of their way to help someone in need. They are also very concerned with the environment. She does not feel the granting of this petition will have any negative impact on their neighbors.

Ms. Jean Hadenson from Campbell County came forward and stated she has worked with Joan Rockwell and Hugh Radcliffe for three years. She has found them to be kind

and hardworking people and feels that receiving this permit will help them to fulfill their dream of having a business where they can share their love of nature with others.

Mr. Spencer asked if there was anyone else present that wished to speak for or against this petition.

Mr. Spencer then read the following letter into the record:

February 13, 2005

Thank you for notifying me of the Public Hearing scheduled for February 22 concerning the Radcliffe/Rockwell proposal to operate a lodge off Route 623 in the County. Unfortunately, I will be out of the country.

I have been a land owner along Route 623 for over 30 years and I have known the couple for the past several years.

They are excellent nature custodians and serious people and I am certain their project will be a positive contribution.

I support their project.

Sincerely,
James A. Moorhouse
8231 Clifton Farm Court
Alexandria, VA 22306

To Whom It May Concern:
Letter dated 02-22-05

I regret that I am unable to attend the meeting tonight with regards to the petition by Hugh Radcliffe and Joan Rockwell.

I am an adjacent property owner and I support their proposed plans for a lodge and nature activities. This type of facility only adds to the variety of lodging our community has to offer. A great deal of tourists who want to surround themselves with a true nature experience would be attracted to this as opposed to those just passing through for a quick overnight stay. Also, pets and horses could be accommodated in a comfortable environment.

This could only enhance tourism in our community.

I too share their dream of saving our forests from the developers who rape the land of its beauty leaving those who live in the neighborhood the unsightly mess to view on a daily basis.

After meeting Joan and Hugh, I feel they would be excellent hosts and representatives promoting tourism in our community.

I wish them well and I look forward to helping them make their guests feel welcome in our neighborhood.

Sincerely,
Bonnie Johnson

Dear Sir,

We are unable to attend the meeting concerning Joan & Hugh's land. Our son Dan will be there with Tommy Lawson his attorney to act on our behalf.

Thanks
Ruth Paulson
7436 Pinecroft Ln
Norfolk, VA 23505-3126

Dr. Dan Paulson of 816 Shanton Road, West Chester, PA. Mr. Paulson stated he and his wife are the owners of 155 acres and his parents own 267 acres of property adjacent to the property in the petition. They are wonderful neighbors and it hurts him to have to speak in opposition of this proposal. He spent several years in looking for a piece of property that they could consider a "family retreat". They chose this particular piece of property because of the James River, the people and the seclusion. This was to be a place for his family, his parents, and his four sisters to call a "retreat".

They have a couple of concerns regarding the proposal:

1. When they purchased this land, they placed their home very close to the border because at that time the property owned by the petitioners was zoned as Agricultural. Their house is actually about 150 feet from the road that will be used to access the river. This is a shared access road and they share the cost of the upkeep. Currently this is a private road and when it becomes a public road it will greatly impact their way of life.
2. The way the proposal is written is vague. There is very little riverfront that is useable. There is also some question as to how many people will have access to this road.
3. This is a shared access road from Route 623 about 1-1/2 miles long. A part of this road is very difficult to maintain. When it was graveled a few years ago, the dump truck actually turned over, rolling four times down the hill. He is concerned about the liability issues if someone is injured.

Mr. Paulson closed by saying that Joan and Hugh are good neighbors. He also plans to reside here when he retires.

Thomas Lawson, Route 6, Box 335, Appomattox - Stated that there is an issue of liability. There is a 50' joint right-of-way. The road is dangerous. From the legal standpoint, the road is a liability issue. He feels that Dr. Paulson and his family have a valid point of liability, should someone be injured using this shared right-of-way.

Mr. Spencer called for other comments. Hearing none, he read the next petition.

04-548 – Richard & Siena Tartaglia – The applicants are requesting a Conditional Use permit for a Home Occupation to allow the operation of a small awards and engraving business in a proposed accessory building behind the residence they plan to

construct on Route 613 between Route 460 and Route 659. Subject property is a portion of Tax Map Numbers 63(A)3 and 63(A)4, is 15.00 acres in size and is zoned R-1 Residential.

Mr. Spencer then called for comments concerning this petition.

Mr. Richard Tartaglia, 3401 Wilson Avenue, Lynchburg came forward and stated they would like to operate a small engraving business. They currently have such a business in Lynchburg on Memorial Avenue. They will continue to operate the Lynchburg location but feel Appomattox could benefit from this type of business.

Mr. Spencer called for other comments.

Marvin House, of Route 4, Box 145, Appomattox, Va. came forward and stated that this is the second time he has been before this Board recently. He is an adjacent property owner and feels the R-1 zoning district should be the most protected. He is opposed to a business being conducted in R-1.

Mr. Spencer called for other comments. Hearing none, he proceeded with the last petition.

04-549 – Appomattox Anglican Church/A. R. "Chip" Padgett, Representative

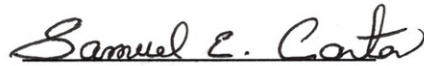
– The applicant is requesting to rezone 6.19 acres located on Route 635 between Route 460 and Route 1001 from M-1 Industrial to A-1 Agricultural in order to use the property as a church. The subject property is identified as Tax Map Number 76(A)158.

Chip Padgett of Route 3, Box 387, Appomattox came forward and started off by apologizing for the oversight of the church for bringing this forward tonight instead of a couple of months ago. They are requesting this change because M-1 does not allow churches. After consulting with County Officials, they decided that A-1 would better suit the needs of their church for the present as well as the future depending upon the congregation and any plans they may undertake. He concluded by thanking the Board and Planning Commission for their consideration.

Mr. Spencer called for other comments.

Hearing none, Mr. Spencer turned the hearing back to the Chairman of the Board.

At 7:37 p.m. Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

At 6:30 p.m. on Monday, March 7, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va. 24522.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
J. G. Overstreet, County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation.

Mr. Carter then asked everyone present to stand and give the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:** One item was added: 17A – Supplemental Appropriations: Landfill - \$18,680.00 – Part "B" Application Fee.

Mr. Carter next called for **Citizen's Public Comments:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens.

Mr. Zack Rosser came forward and stated he would like to speak on Julius Rosenwall who was CEO of Sears, Roebuck & Co. in the early 1900s. Mr. Rosenwall and George Washington Carver joined together to build schools through the South for black children. Mr. Rosenwall matched the funds that the communities raised and was able to get five (5) schools built in Appomattox County one of which was the Carver School. The black community would like to have the front wing of the Appomattox Elementary School for use as part of the Carver-Price Legacy Museum.

Ms. Lillian Adams came forward and stated she is an alumni of the Carver-Price High School. Ms. Adams wished to say a few words regarding the Carver-Price Legacy Museum. The lease on the property known as Carver High School only included one-half of the historical area of the Carver-Price High School. There is a growing interest in the creating of a museum and cultural activities in many counties. Here in Appomattox County we had a friend and former County Supervisor, Mrs. Mozella J. Price, who served and worked very hard and dedicated her life for 44 years to the youth of Appomattox County. For years the property on Route 460 was know by this very name. We have come here as concerned citizens and tax payers to support this museum and request a lease to the property formerly known as Carver-Price High School. That includes a bathroom facility for senior citizens and disabled citizens. Most of us are 70 years of age or over, who graduated from this school and who will be attending this museum from time to time.

Mr. Carter asked if anyone else wished to address the Board at this time. If not, the Board would move to the first item on the Agenda.

Mr. Carter asked **Mr. Brian David, Amherst County Administrator and Cary Gill, of Moseley Architects** to address the Board regarding the proposed regional jail with Amherst, Appomattox and Nelson counties.

Mr. David gave a brief recap of the project. Late in 2002-2003, he and the Board of Supervisors of Amherst County, had a facilities planning session, planning those large projects to meet the county's needs. They, quickly realized that the average daily population in the jail was getting to the point where they seriously needed to figure out their options for the future, one of which a regional jail. The reason a Regional Jail Authority is so important is that the State will fund 50% of the capital costs for building these facilities and also allocate certain Compensation Board positions to staff these jails. The alternatives are doing nothing or having an independent jail, such as Amherst and Appomattox presently have. They, Amherst, Appomattox and Nelson Counties, have been successful in receiving an exception from the 2004 General Assembly to pursue this effort as a Regional Authority. To the best of his knowledge, the General Assembly has not granted this exception to any other small, independent jails to seek funding. No formal action has been taken on this as yet.

The Blue Ridge Regional Jail Authority has agreed to work with Amherst, Nelson and Appomattox in the conception and operation of this new jail authority.

Mr. Gill gave a slide presentation on the Planning Study done on the projected population increases for Amherst, Nelson and Appomattox Counties, as well as the projected increase in inmate populations. Mr. Gill also presented facts and figures on the space needed in the new facility. He also presented some of the building options available and the impact a new facility in Amherst would have on the town and surrounding community.

Mr. David asked if there were any questions or comments.

At 7:15 p.m. Mr. Carter called for a short recess.

At 7:22 p.m., Mr. Carter reconvened the meeting and presented the **ADMINISTRATIVE ITEMS:** (Items 1 – 10)

- 1. Road Viewer Appointment:** Mr. Craft has spoken with Mr. Donald Pullium and he has agreed to serve as a road viewer for the 2005 year.

Mr. Moore made a motion, seconded by Mr. Conrad, to appoint Mr. Donald Pullium, Mr. Allen Torrence and Mr. Claude A. Moore to serve as road viewers for the 2005 year. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. Planning Commission Recommendations from the February 22, 2005 Public Hearing: Planning Commission minutes and recommendations from February 22, 2005.

#05-548 – Richard and Slena Tartaglia: Requesting a Conditional Use Permit for a Home Occupation to allow the operation of a small awards and engraving business in a proposed accessory building behind the residence they plan to construct on Route 613 between Route 460 and Route 659. Property is 15.00 acres, zoned R-1 Residential and is a portion of Tax Map #63(A)3 and #63(A)4.

The Planning Commission recommends approval of this petition as submitted.

Mr. Carter informed the Board that the Planning Commission and the Board of Supervisors recently denied the petition of a resident on this same road for a similar home occupation. R-1 is a very restrictive zoning and he feels this petition should be denied.

After some discussion Mr. Conrad made a motion, seconded by Mr. Craft, to deny petition #05-548 of Richard and Slena Tartaglia for the reason that Home Occupations are prohibited in the R-1 Residential Zoning District. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes.)

Mr. Overstreet stated he wished to make a comment about the ordinance in general. A lot of other localities have a provision for Home Occupations, which can be in any zoning or in certain zones. In doing this, you can limit the impact of a business by saying it has to be confined in a building, maybe you can have only one employee or certain number of vehicles on the property at one time. You can limit certain things and have this as a use by-right in certain areas so you don't have to go through the petition procedure. This would minimize the size of the business by limiting what can and cannot be done. If people complied with the rigid requirements, they could have the home occupations by right.

The Board may not want to do this, but it would be something you may wish to consider. In this way, everyone would be treated equally by the standards you set forth in the ordinance.

#05-549 – Appomattox Anglican Church/A.R. "Chip" Padgett, Representative: Requesting to rezone 6.19 acres located on Route 635 between Route 460 and Route 1001 from M-1 Industrial to A-1 Agricultural in order to use the property as a church. Tax Map #76(A)158.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust, to approve for reason of public necessity, convenience, general welfare and good zoning practice the petition of the Appomattox Anglican Church/A.R. "Chip" Padgett, Representative to rezone 6.19 acres located on Route 635 and identified as Tax Map #76(A)158 from M-1 Industrial to A-1 Agricultural. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Joint Meeting with the Town of Appomattox:** The joint meeting with the Town of Appomattox to review the Water Study, scheduled for February 28, 2005 was cancelled due to inclement weather. It has been suggested that this meeting be held on Monday, March 28, 2005 at 6:30 p.m. at the Community Center.

By consensus, the Board agreed to reschedule the Joint Meeting with the Town of Appomattox to review the Water Study for Monday, March 28, 2005 at 6:30 p.m. at the Appomattox Community Center.

4. **Lease Agreement/Carver-Price Legacy Museum:** Prior to February 22, 2005, Mr. Carter, Mr. Overstreet and Ms. Ferguson met with members of the Carver-Price Alumni Association to discuss the proposed lease agreement for the museum. As a result of this meeting the following changes were suggested:

SECTION ONE: Change "one year" to "five years".

SECTION TWO: Change "one year" to "five years".

SECTION THREE: Change "\$10.00 " to "\$1.00".

SECTION FOUR: Omit the third sentence regarding offensive uses.

Add at the end "other than advertising the museum itself or museum sponsored events".

SECTION TEN: Add to the second paragraph – "The provisions shall not apply to the list attached as Schedule "B".

SECTION THIRTEEN: Add the end – "which notice shall be a least 5 days except in case of emergency.

SECTION FOURTEEN: Omit paragraph B. In paragraph C change "5 days" to "30 days".

SECTION SIXTEEN: After "Lessee" add – "which has caused, or may be reasonably like to cause, damage or injury to person or property,.....".

After Mr. Overstreet explained each of the above changes, Mr. Craft made a motion, seconded by Mr. Moore, to make changes to the Carver-Price Legacy Museum Lease, Sections 1 – 16 as stated above. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

There was no action taken on the request for additional space.

5. **Appomattox County Habitat for Humanity Building Permit Fee:** Mrs. Evelyn Ford has written to the Board requesting the building permit fee be waived for the next Habitat for Humanity house. They also invited the Board to attend the dedication of their eleventh home on Sunday, March 13, 2005 at 2:00 p.m.

After a brief discussion, Mr. Moore made a motion, seconded by Mr. Conrad to waive the building permit fee for the next Habitat for Humanities home to be built in Appomattox County. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Budget Schedule for 2005:** Ms. Ferguson needs you to provide dates and times for the budget work sessions and then she will provide a schedule for your approval at the March 21, 2005 meeting. These meetings will be held in the old J & D Court room. Monday appears to be a bad day for these sessions.

It was the consensus of the Board that these Budget work sessions be scheduled for Thursday evenings in the old J & D Courtroom.

7. **Board Meeting Place:** Ms. Ferguson is still working on this matter and will report as soon as information is available.
8. **Pre-hospital Emergency Medical Care:** Staff is continuing to work on this matter and a report will be given as soon as all the information can be gathered.
9. **Courthouse Project:** The new courthouse project has several items that need to be addressed prior to the final payment being processed.

Also, the Judge has addressed repairs at the old courthouse that need to be taken care of before the final hearing on the court order.

Ms. Ferguson has talked with J. E. Jamerson & Sons concerning a change order to address the concerns the Judge has with the back of the old courthouse. Mr. Jamerson has provided a price of \$30,000.00 to make the necessary repairs to the back of the old building and install the necessary addition to the sprinkler system in the new building. This does not include addressing the roof on the old courthouse.

Following some discussion, Mr. Craft made a motion, seconded by Mr. Moore, to approve a change order allowing J. E. Jamerson & Sons to make the necessary repairs to the old courthouse building and install the necessary addition to the sprinkler system in the new building at a cost of \$30,000.00. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

10. **By-laws and Rules of Procedures Amendments:** Mr. Overstreet has incorporated the proposed changes to the Bylaws and Rules of Procedures, as you requested.

Mr. Overstreet reviewed the changes to the Bylaws and Rules of Procedures as he understood them.

Mr. Moore made a motion, seconded by Mr. Armbrust, to adopt the Revised Bylaws and Rules of Procedures as follows:

REVISED MARCH 7, 2005
BYLAWS AND RULES OF PROCEDURES
APPOMATTOX COUNTY BOARD OF SUPERVISORS

SECTION A: MEETINGS

Regular Meetings.

(a) All regular meetings of the Board shall be open to the public, except when the Board is in closed session pursuant to Section 2.2- 3711 of the Virginia Code.

(b) The Board shall hold regular meetings on such days as may be prescribed by resolution at the annual organizational meeting in January of each year, but which shall not be less frequent than once a month. The Board shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted or in the office of the Clerk to the Board. The Clerk may publish meeting notices by electronic means. The notice shall be posted at least three working days prior to the meeting.

(c) If the Chairman, or the Vice-Chairman if the Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Board members to attend a regular meeting, the regular meeting shall be continued until the following Monday, unless that Monday is a legal Holiday, then the meeting shall be on the Tuesday following the Monday Holiday. Such conditions shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

(d) All regular meetings of the Board shall be held on the 1st and 3rd Monday of each month, unless otherwise noted.

(e) The Board may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Notice of such change shall be posted in a public location at which notices are regularly posted, or in the office of the Clerk to the Board at least three working days prior to the meeting to be held pursuant to the change, and published once in a newspaper, of general circulation in the county, at least seven days prior to the meeting. Three working days prior to the meeting to be held pursuant to such change, the County Clerk shall give each Board member written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

(f) Except for properly called closed sessions as permitted by state law, all regular meetings of the County Board and official committees of the Board shall be open to the media, freely subject to recording by radio, television and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the Board may prescribe.

Special Meetings.

(a) The Chair or two members of the Board may call special meetings of the Board whenever in their opinion the public business may require it.

(b) Whenever a special meeting shall be called, notice in writing signed by the Chair of the Board or two members of the Board shall be filed with the Clerk and delivered to each member of the Board and the County Attorney, either in person or at his place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted at the meeting except such as is stated in the notice, unless all members are present.

(c) The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

(d) Notice to the public of a special meeting shall be given contemporaneously with the notice provided members of the Board.

Closed Sessions:

Closed sessions may be held in accordance with the provisions of the Virginia Freedom of Information Act.

Adjourned Meetings:

Regular meetings without further public notice may be adjourned from day to day or time to time or place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Minutes.

(a) Minutes of all regular and special meetings and work sessions shall be recorded. Such minutes shall be maintained in the office of the Clerk of the Board of Supervisors. The minutes shall reflect:

- (1) The date, time and place of the meeting or session;
- (2) The members recorded as either present or absent;
- (3) A general description of all matters proposed, discussed or decided: and
- (4) Record of any votes taken.

(b) Approval of minutes of all but closed meetings or sessions shall be considered at a regular Board meeting. It shall not be necessary to read the minutes prior to approval. Prior to approval, any member may, through the Chair, request the privilege of amending or correcting the minutes to accurately reflect the substance of the prior meeting. If objection is made by any Board member to such amendment or correction, a majority

Vote of the Board shall be necessary for adoption of the correction or amendment. The Chair shall sign the adopted minutes.

SECTION B: OFFICERS

Election and Term of Chairman and Vice-Chairman

At the annual or organizational meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice-Chairman, each of whom shall serve a term for one year expiring on December 31 of the year elected, or until their respective successors shall be elected. In the case of the absence of the Chairman, the Vice-Chairman shall preside at the meeting, in the absence of both the Chairman and the Vice-Chairman; the members present shall choose one of its members as temporary Chairman.

Clerk

The Clerk of the Board of Supervisors shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law and as delegated and directed by the Board of Supervisors.

Parliamentarian

The County Attorney shall serve as the Parliamentarian.

SECTION C: QUORUM AND MANNER OF VOTING

A majority of the Board shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

No ordinance, nor resolution, appropriating money exceeding \$500.00, imposing taxes or authorizing borrowing money shall be passed except by a recorded affirmative roll call vote of a majority of all of the members of the Board.

SECTION D: RULES OF ORDER

The proceedings of the Board, except as otherwise provided within these Rules of Procedure and applicable State law, shall be governed by Robert's Rules Of Order, Newly Revised 1994 and more specifically, the provisions which pertain to conduction business for small boards found on page 61, except that the section indicating that the minutes are accessible only to Board members is hereby deleted.

SECTION E: ORDER OF BUSINESS

Agenda Preparation

The Clerk shall prepare the agenda for each regular meeting conforming with the agenda format approved by the Board. Except as permitted at the discretion of the County Administrator, every item to be placed on the agenda shall be received in the Office of the County Administrator before the close of the work day on the Wednesday of the week prior to any regular meeting of the Board.

The agenda packages shall be transmitted by the Clerk of the Board by the close of business on the Friday prior to the regular meeting using whatever means of delivery he deems best suitable to insure that Board members have the agenda packages prior to the regular meeting.

Order of Business

The order of business at Board of Supervisor meetings is normally:

Welcome

- a. Call to order
- b. Invocation
- c. Pledge of Allegiance

1. Approval of the Agenda
2. Approval of the Consent Agenda
3. Approval of the Minutes
4. Thirty minutes Citizen Comment Period at each regular meeting of the Month.
5. Public Hearings/Public Appearances
6. Action Items
7. Board Comments, Committee Reports, Requests and Recommendations
8. Appointments to Boards, Commissions and Committees
9. County Attorney Reports, Requests and Recommendations
10. County Administrator's Reports, Requests and Recommendations
11. Pending Matters

Consent Agenda

The Consent Agenda shall consist of a listing of various items to be considered by the Board as a block or one single item and to be approved by one vote rather than specific votes on each item.

Characteristics of items placed on the Consent Agenda are:

- Routine items that appear monthly such as departmental reports, requests for refunds, resolutions and motions authorizing the submission of applications for grants that require no local match, or grants for which the Board has previously approved the local match, requests for supplemental appropriations that meet the Board's policy
- Requests to advertise public hearings, advertising for bids and proposals, resolutions of appreciation, proclamations and resolutions of respect and accommodation.
- Items of a non-controversial nature that could be classified as housekeeping items of a technical, non-policy nature, end of year department transfers, resolutions dealing with the acceptance of

grants from the State of Federal governments requiring no local match or grants for which the Board has previously approved the local match, and items that have received prior unanimous approval of the Board.

There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in the order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Citizen Comment Period

At each regular meeting of the Board, the board shall set aside at the beginning of each Board session a citizens' comment period. During the citizen's comment period, speakers wishing to address the Board shall clearly state their name and address. Speakers may not speak on the public hearing calendar for the day. No individual citizen shall be permitted to address the Board for more than three (3) minutes.

Individuals who have previously spoken on a subject at a public hearing shall not be allowed to readdress the Board during the citizens comment period. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff member. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person.

Public Appearances

Any citizen may request to appear before the Board at any regular Board meeting no more than four times per year and no more than once within a three month period. Speakers shall be limited to speaking on the same subject not more than three times within any 12 month period. Speakers who wish to address matters which have previously been addressed at a public hearing under public appearances shall not be allowed to request to appear before the Board nor shall they be allowed to readdress the Board on the subject of the public hearing. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff person. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person. Requests to appear before the Board shall be directed to the Clerk of the Board. When requesting time to appear on the agenda, the requestor shall give the Clerk a description of what the topic will be, the speaker's full legal name and address (including street name and zip code), and home and business phone numbers, if applicable, shall be required. Speakers must speak on the subject identified when registering to appear before the Board and failure to stay on the topic will be deemed to render the speaker out of order and will result in forfeiture of the remaining time that had been allotted to the speaker. Thirty minutes will be allotted on the agenda for public appearances. Each speaker will be allotted fifteen minutes unless there are more than two-speakers; in which event, each speaker will be subject to such time limitations as the chairman may equitably impose.

Each speaker addressing the Board shall step up to the microphone in front of the podium, shall give his name and address in an audible tone of voice for the record. All remarks shall be addressed to the Board and not to any member thereof.

Any person speaking before the Board who represents himself as being an officer of or representing an organization, group, association, corporation, or other entity not generally known to the Board shall, upon request by any member of the Board, disclose for the organization, the history, size, structure, date of

creation, tax status: and shall reveal for the organization its method of determining its official position and the speaker's authority to represent the organization. Unreasonable failure to provide satisfactory answers shall bar the speaker from further speaking on the matter before the Board.

Public Hearings

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views during the public appearance and citizen comment sections of regular meetings and on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective, it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors, as follows:

- The order of business for consideration of a matter on the Board's public hearing agenda shall be as follows:
 - a. Staff presentation:
 - b. Questions from Board members (and Planning Commissioners if present):
 - c. Applicant's presentation (if applicable, for land use matters);
 - d. Comments, statements or presentations from members of the public; and
 - e. Board discussion, at which time the Chairman may entertain a motion to place the matter on future agenda for action, to refer the matter to committee, or bring the matter to a vote.
 - Staff presentation will be brief, concise summaries for the public's information and understanding. When written information has been provided prior to the hearing only summary and/or new information should be presented.
 - On land use matters a reasonable and sufficient time will be afforded the applicant to properly and fairly present the subject matter. Ten minutes shall be allocated to the applicant's presentation. The applicant may allocate the time between presentation and rebuttal. If additional time is believed to be necessary, the applicant should contact the County Administrator prior to the Public Hearing. Any Member of the Board may ask the applicant to respond to specific questions.
 - Each speaker will have up to five minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of speakers registered to speak on any item exceed ten, the time will be adjusted to three minutes for each speaker. Unless instructed by a majority of the Board present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.
 - Order of speakers will be determined on first to register, first to speak basis.
 - Registration will be taken by County staff and will be submitted on the registration form provided, which will include the name, address and election district of the speaker.
 - Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions of clarification.
 - Debate is prohibited.

- All comments will be directed to the Board of Supervisors as body.
- Decorum will be maintained. This includes a common courtesy from the audience, the staff and Board to the speaker and from the speaker to the audience, the Board and the staff. Statements, which are demeaning or inappropriate, shall be ruled out of order.
- In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial Public Hearing will be the first to speak at the continued hearing.
- Speakers are requested to leave written statements and/or comments with the County Administrator.
- The Board shall have the discretion to act on a matter appearing on a public hearing; or the Board, by majority vote, may defer the matter to the next regular meeting of the Board. It shall be the policy of the Board to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

Board Comments

This time is generally used for individual Board members to share information with other members of the Board and public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No item presented under this heading shall be acted upon at the meeting at which the item is presented unless it is the unanimous consensus of the Board that the item be put on the floor for action. Prior to the agenda being prepared, members of the Board are encouraged to contact the County Administrator and have an item included under this heading. The County Administrator shall prepare a memorandum that will inform other members of the Board of the particulars pertaining to this matter.

Pending Matters

This section of the agenda is non-action section of the meeting agenda which shall list all matters that have come before the Board and that the Board has assigned to or referred to one of its standing committees or staff for additional information or recommendation.

Adjournment of Meetings

Regular meetings of the Board shall adjourn no later than 10:30 p.m. If the Board desires to extend the meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 10:30 deadline shall be deferred to the next regular meeting or an adjourned meeting of the Board.

SECTION F: RECONSIDERATION OF MOTIONS

At any meeting of the Board, when any vote upon any motion, resolution, ordinance or question has been announced, it shall be in order for any member of the Board voting with the prevailing side or who has not voted on the motion, resolution, ordinance or question to offer a motion for reconsideration thereof during the same or succeeding meeting.

SECTION G: CONDUCT OF THE PUBLIC

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds
3. Promoting private business ventures
4. Using profanity, vulgar language or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee is not related to his official duties
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Smoking or eating in the Board Room
9. Addressing question or statements to anyone other than the Chairman
(Questions shall be presented to the Chairman, who will, at his discretion, solicit a response from the appropriate board or staff member.)
10. Standing in the back or side isles of the Board Room as long as there are sufficient seats available (except for law enforcement personnel).
11. Persons in attendance at the meeting addressing the Board while members of the Board are considering any motion, resolution or ordinance preliminary to vote on the same, except at the discretion of the Chairman.
12. Any persons addressing comments or questions to someone other than the Chairman.
13. Wearing hats, caps or other types of headgear.
14. Applause is permitted only during presentation, awards, proclamations and special recognition periods.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Board. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year either by the Chairman, subject to appeal to the Board or by motion passed by the Board.

SECTION H: MISCELLANEOUS

Reserved Area.

Only members of the Board, the County Administrator, County Attorney, administrative staff and other persons expressly invited shall be entitled to enter the area behind the Board Dais.

Press.

Cameras from the press shall be limited to the west side of the boardroom. Members from the press shall not interview the public or staff in the Boardroom while meetings are in session.

Amendment of Rules.

These rules of procedure may be amended by majority vote of the entire membership. No notice shall be required for the adoption of any amendments.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 11 – 17A)

11. Approval of Bills: Please approve bills for payment as presented.

FUND APPROPRIATIONS:

- 12. Revenue Maximization Fund:** Please appropriate by consent a transfer and supplemental appropriation in the amount of \$2,585.00 from the revenue maximization fund to pay bills for the month of February 2005.

SUPPLEMENTAL APPROPRIATIONS:

- 13. Sheriff's Department:** Please appropriate by consent a supplemental appropriation in the amount of \$15.15 for a refund received from Verizon.
- 14. Jail:** Please appropriate by consent a supplemental appropriation in the amount of \$10,000.00 to cover medical expenses incurred by inmates. This is an item that is extremely hard to budget with any accuracy.

Please appropriate by consent a supplemental appropriation in the amount of \$8,568.00 to the Jail budget for housing prisoners at other facilities.

- 15. Courthouse Construction Bond:** Please appropriate by consent a supplemental appropriation in the amount of \$1,858.00 to cover bills associated with the new courthouse.
- 16. CSA:** Please appropriate by consent a supplemental appropriation in the amount of \$18,174.52 to pay expenses for the month of February 2005.
- 17. Animal Pound Construction Project:** Please appropriate by consent a supplemental appropriation in the amount of \$2,840.75 to pay civil engineering fees for the new animal pound. When financing is in place these expenses will be reimbursed to the general fund.

- 17A. Landfill:** Please appropriate by consent a supplemental appropriation to the Landfill budget in the amount of \$18,680.00 to pay Part B – DEQ application fee. Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **INFORMATIONAL ITEMS:** (Items 18 – 20)

- 18. Appomattox County Public Schools Financial Report:** Monthly financial report for the month of February, 2005.
- 19. Central Virginia ASAP Annual Report:** Annual Report for Central Virginia's Alcohol Safety Action Programs.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Armbrust had a question regarding the road signs that have not been put up and also those that have been torn down.

Ms. Ferguson stated that Mr. Wingfield is in the process of placing an ad in the newspaper for someone to replace these signs. He has also re-ordered those signs that we have not been able to locate. Ms. Ferguson also stated that Mr. Wingfield has done a wonderful job and is a real asset to the County.

Mr. Craft stated he has had several contacts from people in Pamplin/Hixburg area about coyotes. They are asking if we are going to put a bounty on them. Some counties already do. He feels if this becomes a bigger problem, we may have to look into ways of dealing with these animals.

Also the "Rails to Trails" was to run from Pamplin to Burkeville. He now understands this will end approximately one mile from Pamplin and one mile from Burkeville. If this is true, Pamplin will not benefit from this. He would like for the Board to write a letter to the railroad and express our desire to have the "Rails to Trails" end in the Town of Pamplin.

Ms. Ferguson will check with Mr. Watkins Abbitt regarding this issue.

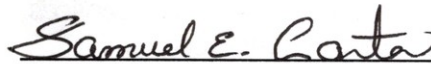
Mr. Carter stated he would like to express his appreciation to Ms. Ferguson and those who put together the Priority List for the County for the year 2005.

Mr. Carter then called attention to the **UPCOMING MEETINGS:**

**March 14, 2005 @ 7:00 P.M.
JOINT MEETING WITH SCHOOL BOARD
SCHOOL BOARD MEETING ROOM**

**March 21, 2005 @ 6:30 P.M.
REGULAR MEETING
APPOMATTOX TOWN OFFICE**

At 8:25 p.m., Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

At 7:00 p.m. on Monday March 14, 2005, the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at the School Board Office Building located on Court Street, Appomattox, VA 24522.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (School Board):

R. M. (Bobby) Mitchell
 Marcie Jones
 Todd Pickett
 Clifford Rhodenizer
 Amy Martin (arrived 8:33 p.m.)

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 Dr. Walter Krug – Superintendent-Appomattox County Schools
 William Perrow
 Janice Marston
 Dorinda Grasty

At 7:00 p.m. Mr. Carter called the meeting to order and welcomed everyone in attendance. Ms. Jones called the School Board to order.

Dr. Krug stated that Ms. Martin was not able to be present as her husband was ill and was being admitted to the hospital. He thanked the Board of Supervisors and the School Board for being able to work together, it is really wonderful and things have been very productive.

Dr. Krug first discussed the school facility needs. He thanked the Board of Supervisors for the use of a portion of the Carver-Price facility for the maintenance shop; the Home Economics Cottage which they are using for technology personnel and plan to use for more office space in 2005-06; they are also using some space for storage for the auction.

Dr. Krug continued by giving some of the reasons why they are always in need of space.

- Mandated programs and services
 - Instructional technologists
- Support staff to implement required programs
 - Testing assistance
 - Program improvement coordination

Space for programs and personnel funded through grants

- Day Treatment program (3 schools)
- CVCC Career Coach
- AL's Pals Drug Prevention program

The Primary School needs space for:

- 4 year old program for at risk (3 classes)
- Small class sized K-2 (need for more rooms)
- Increased number of remedial programs
- Special education and speech (6)
- Technology lab
- Day Treatment Program
- Occupational & Physical Therapists

- Administrative staffing – assistant principal and guidance
- Dedicated spaces for art & music

The Middle School needs:

- Technology labs (4)
- Day Treatment Program
- Special education and remedial services (9)
- School Resource officer

The High School needs:

- Special Education classes (7 teaches)
- Technology labs (7)
- Science program – Insufficient number of labs
- Future technology initiatives
 - distance learning and on-line courses
- School Resource Officer
- Guidance & counseling services
 - transition counselor

There are also various Division-wide programs that need additional space:

- Alternative Education space – limited to 10 students grades 6-12
- Office space for School Board
 - 2 people share 144 square foot office
 - Grant coordinator uses office break room
 - Use of old County Library
 - Use of Home Economics Cottage
 - Storage of records off site
- Bus Shop – OSHA and DEQ; new buses will not fit in present shop
- Maintenance Shop
- Bulk Storage

They need to take the ball and develop a long range facilities plan, submit this to the Board of Supervisors and work together to develop a realistic time line and what the priorities are.

There was a short discussion on the Bus Shop needs, renovation of the present shop or building a new one at a different location.

Dr. Krug next presented the Superintendent's Proposed FY '06 Budget.

The FY'06 budget was based on the following:

- Increased student enrollment
- Carryover funds – Concept of use of current budget funds in subsequent budget years – Special projects and Operations.
- School Budget – Legal Responsibility
- Budget Goals for 2005-06
 1. Student achievement – SOA & AYP
 2. State and Federal requirements
 3. Programs, services and class size

4. Salaries and benefits
5. Support services and facilities
6. Other revenues and cost reductions
7. Safe and clean facilities
8. Public and community relations

Dr. Krug also discussed the changes in positions that were necessary for the upcoming school year; the projected revenues; County supplement; the shortfalls and ways to make up the shortfalls.

Mr. Perrow presented those present with handouts pertaining to the enrollment projections, the 2005-06 budget for Food Service in the amount of \$869,196.00; the 2005-07 Budget for expenditures of \$19,257,353.00; and a 2005-07 Budget Revenue Budget of \$19,257,353.00.

Dr. Krug asked if anyone had any questions.

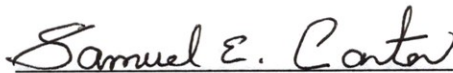
Mr. Carter asked for a definition of a "charge for services".

Dr. Krug explained that some schools around the country are charging for such things as athletic participation, and participation on other activities. There could also be some charges in the transportation program.

There was some discussion regarding future joint sessions regarding the budget process.

Dr. Krug thanked everyone for coming and expressed the desire of the School Board to keep the lines of communication open with the Board of Supervisors.

At 8:35 p.m. Mr. Armbrust made a motion seconded by Mr. Conrad to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

At 6:30 p.m. on Monday, March 21, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, VA. 24522

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:
 Aileen T. Ferguson – County Administrator
 J. O. Overstreet – County Attorney
 John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation, after which he asked everyone to stand and recite the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:** There were no additional items to be added.

Mr. Carter next called for the **Citizen Public Comment Period:** There was no one who wished to speak at this time.

Mr. Carter then called for the next item on the Agenda:

ADMINISTRATIVE ITEMS (Items 1 – 2)

1. **Use of Courtland Field:** The Appomattox County Chamber of Commerce is requesting the use of the Courtland Field to hold Friday Cheers on June 24 and July 29, 2005. They would also like the \$100.00 damage deposit be waived. Staff advised Board that beer is sold at these events and the hours are from 5:00 p.m. to 9:00 p.m.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to allow the Appomattox County Chamber of Commerce the use of Courtland Field for a Friday Cheers to be held on June 24th and July 29th, 2005 and also to waive the \$100.00 damage deposit usually required. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

2. **Budget Schedule:** The proposed schedule for discussing the FY 2006 Budget has been prepared. Staff recommends approving or amending this schedule as it pleases the Board.

Ms. Ferguson stated that if the Board wished to meet at 7:00 p.m. the schedule needs to reflect this time change.

Mr. Moore made a motion, seconded by Mr. Craft, to approve the Proposed Budget Workshop schedule but change the meeting time from 6:30 p.m. to 7:00 p.m. These

meetings will be held in the old J & D Courtroom. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 3 – 9)

3. **Approval of Minutes:** Please approve minutes of Public Hearing of February 7, 2005; Regular Meeting of February 7, 2005; Recessed Meeting of February 8, 2005; Regular Meeting of February 22, 2005; and Joint Public Hearing of February 22, 2005.
4. **Approval of Bills:** Please approve bills as presented for payment.

SUPPLEMENTAL APPROPRIATIONS:

5. **County Administration:** Please appropriate by consent a supplemental appropriation in the amount of \$5,122.57 to pay for telephone expenses associated with the new telephone system.
6. **Commissioner of Revenue:** Please appropriate by consent a supplemental appropriation in the amount of \$23,612.25 to cover refunds due to several trucking companies.
7. **Courthouse Construction Bond:** Please appropriate by consent a supplemental appropriation in the amount of \$54,934.40 to cover expenses for the courthouse.
8. **Library:** Please appropriate by consent a supplemental appropriation in the amount of \$1,632.55 for fines, replacement fees, donations, book sales and purchases.
9. **Animal Pound:** Please appropriate by consent a supplemental appropriation in the amount of \$4,864.09 to cover bills for Dominion Seven Architects.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called the Board's attention to the **INFORMATIONAL ITEMS:** (Items 10 – 15).

10. **Merger of SBC Communications Inc. & AT &T Corp.:** Troutman Sanders, Attorneys at Law are notifying you of a joint petition by SBC Communications, Inc. and AT&T Corporation to merge.
11. **Planning Commission Minutes:** The Appomattox County Planning Commission has provided the minutes of their February 22, 2005 meeting for your information.
12. **Town Council Agenda:** The Town Council has provided the agenda for their March 14, 2005 meeting.

13. **Annual Forestry Report:** Rick Butler, Appomattox Country Forester, has provided the annual report for Appomattox County for your review.
14. **Robert E. Lee Soil & Water Conservation District:** The Robert E. Lee Soil & Water Conservation District Board of Directors has provided the minutes of their meeting on January 27, 2005 for your information.
15. **Appomattox County Parks, Recreation & Tourism Department:** Mrs. Dixon has provided her report for March, 2005.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Conrad stated he did not have a concern, but last week he had the pleasure of visiting the Legacy Museum in Lynchburg and Carolyn Bell took him on what was about a two (2) hour tour of the museum. He found it to be most interesting and informative. He suggested that anyone having the time, visit the museum to get some idea of what the proposed Carver-Price Museum would include.

There were no other comments to be made at this time.

Mr. Carter next called the Board's attention to the **UPCOMING MEETINGS:**

March 28, 2005 @ 6:30 p.m.
Joint Meeting with the Town Council
Appomattox Community Center

April 4, 2005 @ 6:30 p.m.
Regular Meeting of the Appomattox County Board of Supervisors
Town Council Chambers

April 7, 2005 @ 7:00 p.m.
Budget Meeting
Upper Level County Administration Building
(Old J & D Courtroom)

At 6:43 p.m. Mr. Carter recessed the meeting until after the Public Hearing.

At 7:37 p.m. Mr. Carter reconvened the regular Board Meeting.

Mr. Carter welcomed **Mr. Ted Cole and Mr. David Rose of Davenport & Company** to the meeting. Mr. Cole and Mr. Rose are meeting with the Board to present a Capital Funding Analysis and go over some funding sources for upcoming projects.

Ms. Ferguson stated that there had been some discussion on all the projects we have ahead of us and how to finance them with the least amount of impact on the citizens of the County. Mr. Rose and Mr. Cole have reviewed the County's finances and developed an analysis as to the impact of the new projects on the County's financial future which they will present to the Board.

Mr. Rose said he would walk through the document. They are not asking the Board to make any decision but rather to educate them on what is available. They will present the worst possible scenarios so there will be some positive conclusions at the end of the presentation. They want to try to establish a comprehensive plan for all the projects Ms. Ferguson has pointed out including the possibility of a Regional Jail Concept; having some strong debt policies, ratios and fund balances and finally, to try to minimize, if not avoid, any equivalent real estate increases. He uses the term "equivalent" because there will be some increases and some impact.

He discussed the Debt Service Balance, the Pay-Out Ratio and how much the debt decreases each year. Part of the document shows where we stand with regard to some of the ratios that relate primarily to debt. Mr. Rose stated that the County had at least four (4) Capital Projects to consider:

- The Animal Shelter - \$600,000 late FY'05
- The Public Safety E-911 Call Center Renovations - \$700,000 late FY'05
- New Landfill Cell - \$2,000,000 late FY'05
(also figures on the Outsourcing of Waste Disposal for the balance of FY'05 and also FY'06)
- The Regional Jail – Appomattox's Share of \$11,550,875.
(\$4,910,600 in Notes – repayable by the State and
\$6,640,275 in Bonds)

Mr. Rose then turned the remainder of the presentation to Mr. Cole.

Mr. Cole discussed the overview of funding scenarios. They have looked at a funding scenario of each of the four projects, the length of debt service on each and the growth in real estate tax after adding each of these projects.

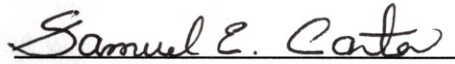
Bank financing is a viable option, as is the Virginia Resource Authority which is a State Agency with a mission to help local governments secure financing for water, sewer, solid waste and public safety type projects. Another source of financing is through the USDA Rural Development which offers longer paybacks, 40 year debts which in many cases have a 4 ½% interest rate. There may be an opportunity for each of these projects to try to secure some grant money. For example, Economic Impact grants, which may grant as much as \$50,000 per project.

Mr. Cole concluded by saying that the scope of this report is really based on the capital side of the budget and at this point is not based on the operating side of the budget. They have attempted to keep the focus of this report on the four (4) major projects facing the Board at the present time.

After a lengthy question and answer period, Mr. Carter thanked Mr. Rose and Mr. Cole for a very informative report.

The budget meeting scheduled for April 21, 2005 has been cancelled. Mrs. Ferguson will re-schedule for another date.

At 8:33 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent).


Samuel E. Carter, Chairman

On Monday, March 21, 2005, the Appomattox County Board of Supervisors, the Appomattox Town Council and the Appomattox County Planning Commission held a joint public hearing at 7:00 p.m. in Council Chambers of the Appomattox Town Hall located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

PRESENT: (Appomattox Town Council)

Joyce Bennett
Jimmy Mayberry
Marvin Mitchell
Lewis McDearmon
John Wilson

ABSENT: (Appomattox Town Council)

Ronnie Spiggle – Mayor
Steve Lawson

PRESENT: (Planning Commission)

Steve Conner
Marvin Mitchell
Shannon Dews
Calvin Tanner
Robert Johnson
Barry Morris
Brian Baines
Jerry Hughes

ABSENT: (Planning Commission)

Kevin O'Brien

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
 J. O. Overstreet – County Attorney
 John K. Spencer – Assistant County Administrator

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Spencer.

Mr. Spencer then read the first petition;

Petition #05-224 - Rosalie Pool: Application for Rezoning, Tax Map #64A1(A)2. The property is situated on 460 West across from the Super 8 Motel within the Town of Appomattox. This property is currently zoned M-1 for Industrial use. It is desired and requested that the foregoing property be rezoned from Industrial M-1 to Business B-1. It is proposed that the property be rezoned for a future use to pick-up and deliver pizza.

Mr. Spencer called for comments for or against this petition.

Hearing none, Mr. Spencer read the next petition.

Petition #05-225 – C. Lewis McDearmon: Zoning application for Conditional Use Permit, Tax Map #64A5(A)87. The property is situated at Park Lane (State Route 1022) between 460 East Business and Community Lane within the Town of Appomattox. This property is currently zoned M-1 for Industrial use. In Industrial district M-1, any structure to be erected or land to be used shall require a conditional use permit. The applicant is requesting approval from the Town of Appomattox to Produce Ready Mix Concrete at the above described property.

Mr. Spencer called for comments for the petition.

Mr. Bobby O'Brien – President & Owner of Lynchburg Ready Mix Concrete came forward and stated they had just recently purchased a concrete plant in Appomattox known as Buckingham-Appomattox Ready Mix. They would like to purchase said property and put up a ready-mix plant using a new ready mix plan that is being constructed. This plant will be similar, in size, to the one they are operating now at J. E. Sears but the new plant will be state-of-the-art ready-mix plant with the capability of holding 60 tons of material, two (2) cement silos that will stand beside the ready-mix plant and will have the necessary equipment for pollution abatement. They will have the necessary permits from DEQ as the present facility. They will operate five (5) days a week from 6:45 a.m.

to 5:00 p.m. each day. They will employ 4 to 5 persons. They will maintain two (2) ready-mix trucks at the facility, a front-end loader and a dump-truck for hauling stone and sand. They will maintain a clean, efficient operation, they feel will be suited to be in the community and be a part of the community. They are good cooperate citizens. They will also maintain buffers around the facility.

Mr. Jesse Rosser, Route 6, Box 1415, Appomattox County stated he was opposed to the concrete plant. If a ready-mix concrete facility is needed, it is absurd that it cannot be located in the Industrial Park. He feels that this is why the park was developed. They should not have so many restrictions that anyone interested would be discouraged and have to go somewhere else. It seems the park would be tailor made for a facility such as this. He hopes there will be a reconsideration of this issue. This would be a new facility from the ground up. What about water, sewer and trash. He also questions if there will be enough land for this endeavor. He wishes to go on record as being opposed to this petition.

Ms. Kay Kessler, Route 2, Box 118, Appomattox came forward and stated she too is opposed to this petition. She lives directly across from the proposed plant. She thinks even with a state of the art plant there will still be huge loss to her property value. There is already a propane tank on the property creating a lot of traffic with trucks coming in. There is also some problems with tankers running on her property entering and exiting the property in questions. There is going to be dust, noise and it will hurt the value of all the surrounding property. She also stated that the industrial park was built for a purpose and doesn't believe it was built for just the one business that is there now.

Ms. Dorothy Wooten, 320 Countryside Drive, Appomattox came forward. Ms. Wooten said that as a property owner in the vicinity she would like to go on record as opposing the granting this petition. She does not believe it would be in the best interest of the Town and certainly not in the best interest of those who reside in the area. She does not feel this should be placed at the entrance to the Town, the Community Center or the Ball Park. Surely a more suitable location could be found that would not detract from this neighborhood.

Frank Wooldridge, Route 2, Box 42, Appomattox was next to speak. He, too, is opposed to the building of this facility at this location. He has heard about all the good thing that this will do, but no one has come forth with the outcome of the bad things this will do. There is always two sides to every situation. He is concerned about the increase in traffic and the decrease in property values.

Mr. Spencer asked if there were any further comments, hearing none, he presented the next petition.

Petition #05-550 – Tana S. Painter: The applicant is requesting a Conditional Use Permit for a Home Occupation to allow the operation of an automobile repair garage in a 25 ft. by 36 ft. accessory building to be built on Route 684 between Route 616 and the terminus of Route 684. The property is 33.28 acres in size, Tax Map #21(3)4 and is zoned A-1 Agricultural.

Mr. Spencer called for comments in favor of this petition.

Ms. Tana S. Painter, of Route 3, Box 207, Appomattox, Va. stated she is requesting this Conditional Use Permit for an automobile repair garage. The hours of operation would be from 9:00 a.m. to 5:00 p.m. Monday thru Friday. This business would be operated as a supplemental income.

Mr. Craft asked Ms. Painter about the number of cars they would be working on at any given time.

Ms. Painter replied this would be a small auto repair shop, having 4 or 5 cars at one time and none would remain on the property for longer than 30 days.

Mr. Spencer called for further comments.

Mr. David Schrock, Route 3, Box 206, Appomattox, Va stated he is opposed to this request for a number of reasons. One reason is noise – the sound of air wrenches, the banging of tools, engines being revvered up and added traffic; chemical pollution; scenic pollution. Another reason is the possibility of chemical pollution in the form of oil, antifreeze and Freon. There is always the possibility of these chemicals polluting ground water. He is not aware of any environmental impact study that has been done with the proposed zoning change. Also, the residential area will be harmed by the sight of automobiles in need of repair and the collection of discarded automobile parts. He is also, no sure that another auto repair garage is needed in the County. He also feels the granting of this request will be detrimental to the value of the surrounding property as well as disturbing the quiet, relaxing atmosphere of those residing in the area.

Mr. Spencer asked if anyone else wished to speak on this petition, hearing none, he presented the next petition.

Petition #05-551 – Appomattox Anglican Church/A. R. "Chip" Padgett, Representative: Request for a Conditional Use Permit to allow the operation of a private religious school on Route 635 between Route 460 and Route 1001. Subject property, Tax Map #76(A) 158, is 6.19 acres in size and was rezoned on March 7, 2005 to A-1 Agricultural District.

Mr. Spencer called for comments for this petition.

Mr. A. R. "Chip" Padgett, Route 3, Box 387, Appomattox. Mr. Padgett began by stating that a month ago he came before the Board and Planning Commission requesting this property be rezoned from M-1 to A-1 and at that time he stated their future plans were for a church school. He did not know at that time, how near in the future that would be. Due to overwhelming interest and support we have been asked to proceed with the Conditional Use Permit so we can hopefully open this school in September, 2005.

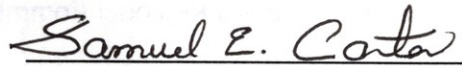
Mr. Spencer called for additional comments.

Ms. Deborah Powell, a member of the Appomattox Anglican Church, stated she is in support of this petition. Their plans did materialize rather quickly and they look forward to using this property for a school. They are very glad to have the building and the 6 acres and want to be good neighbors to all the residents in the area.

Mr. Spencer asked if anyone else wished to speak for or against this petition.

Hearing no further questions or comments, Mr. Spencer turned the hearing back to Mr. Carter.

At 7:33 p.m. Mr. Carter closed the public hearing.


 Samuel E. Carter, Chairman

On Monday, March 28, 2005, the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at 6:30 p.m. at the Appomattox Community Center located off Confederate Boulevard, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

PRESENT: (Town Council)

Ronnie Spiggle – Mayor
 Marvin Mitchell
 Lewis McDearmon
 Jimmy Mayberry
 Joyce Bennett
 Steve Lawson
 John Wilson

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 John K. Spencer, Jr. – Assistant County Administrator
 J. O. Overstreet – County Attorney
 David Garrett – Town Manager
 Roxanne Mundy – Town Clerk
 Larry Mobley – Town Utilities
 Frank A. Wright, Jr. – Town Attorney
 Bill Gillespie – Region 2000 Regional Commission

Gary Christie – Region 2000 Regional Commission
 Jeff Rogers – Region 2000 Regional Commission
 Tom Fore – Amherst County Board of Supervisors

At 6:30 P.M. Mr. Carter called the meeting to order and gave the invocation, after which he asked those present to stand and Pledge Allegiance to the American Flag.

Mr. Carter stated that this was an informational meeting regarding the options to the Water Study and the creation of a Public Service Authority.

Mr. Carter then introduced Mr. Bill Gillespie, President of MRG Consulting, LLC, who is working with the Region 2000 Regional Commission.

Mr. Gillespie introduced Gary Christie, Executive Director of Region 2000 Regional Commission; Jeff Rogers, Engineer, who is basically putting together the options for the water project; and Tom Fore, member of the Amherst Board of Supervisors, currently serving on their Public Service Authority.

Mr. Jeff Rogers stated that the goal for the project was as follows:

"To enable the decision-making process for the selection of a preferred long-term drinking water supply source."

Mr. Rogers also addressed the following alternatives:

- Existing System – (do nothing alternative)
- Concord Water Line Alternatives (A & B)
- Lynchburg Water Line Alternative
- James River Intake Alternative
- Multi-purpose Reservoir Alternative

Mr. Rogers stated the reason for completing this project is - "To develop an action plan that culminates in the formulation of strategies for construction of long range and dependable source of water." These strategies include:

- Increase water source reliability
- Provide for future demands for water
- Facilitate long-term economic development
- Mitigate future regulatory requirement costs
- Security, source protection & new/revised WQ standards
- Enhance drought management planning
- Mitigate future water rate increases.

Mr. Rogers discussed the Overview that was presented to each member present. He also discussed the summary of Key Points:

- The cost of water will increase significantly by 2050
- Residential consumption will not increase significantly
- Economic Development critical for controlling water rates
- Economics of scale will mitigate expected cost increases
- Significant portion of growth will occur outside Town of Appomattox limits
- Cost to produce water will more than double by 2050

- Historically Town water rates increase 1.5% per year
- Reservoirs take much longer than 2 years in regulatory process
- Water rates adjusted for debt service will double monthly charges
- Wholesale water rates are controllable through long-term contract

Mr. Gillespie proceeded to inform those present of the characteristics of a PSA (Public Service Authority) as authorized by the Code of Virginia, Chapter 15 – Virginia Water & Waste Authorities Act.

REQUIREMENTS:

- One of more localities may create an authority
- Created by ordinance, resolution or referendum
- Governed by the State Corporation Commission
- State Corporation Commission issues charter
- Exists for 50 years without renewal

CHARTER INCLUDES THE FOLLOWING:

- Name and address of the authority
- Participating localities
- Make up of the Board and number of members
- Authority service area – localities dictate the area the authority is allowed to serve
- Localities dictate projects that authority is to complete given adequate funding

POWERS OF THE AUTHORITY:

- Acquire, purchase, lease as lessee, construct, reconstruct, improve extend, operate and maintain a water or wastewater system
- Incur debt, right of eminent domain, issue revenue bonds, fix rates, enter into contracts

DEBTS OF THE AUTHORITY:

- Are the sole responsibility of the authority
- Have no bearing on the credit worthiness of the locality
- Are paid by the users of the system through fees for service
- General tax revenue may not be used to subsidize the authority debt unless authorized by the local government

POWERS OF THE LOCAL GOVERNING BODY OVER THE AUTHORITY:

- Establishment of the service area
- Establish projects and priorities
- Establish the rationale for the creation of the authority
- Establish beginning rates and potential capital costs
- Local governing bodies can dissolve the authority if its purpose has been fulfilled and all debts are satisfied

Mr. Gillespie continued by discussing the **Available Funding Opportunities:**

- United States Department of Agriculture, Rural Development – Up to 75% grant funding with a local match of 25%

- Special Congressional Appropriation Grants – 100% grant through the Department of Agriculture – Needs congressional sponsor
- Virginia Resources Authority – Low interest loans through the Commonwealth
- Virginia Revolving Loan Fund – Flexible low interest loan ranging from 1% to prevailing rate (usually less than preferred bank financed). Interest rate is set based on ability to pay
- Virginia Municipal League Loan Fund (VML) – Low interest loans through VML sponsored loan fund program available only to local governments
- Virginia Department of Health – Federally sponsored construction loans with interest rates dependent on the low to moderate income population to be served

Mr. Gillespie concluded by saying that Appomattox is strategically positioned for economic development with clear advantages and the next step to bringing jobs to the County is a sufficient water supply. The decisions that need to be made are:

- Continue as is and make system improvement
- Continue to Produce or Purchase Wholesale
- Proceed with development of PSA
- Secure funding for preferred alternative
- Design and construct preferred alternative.
- Secure funding for preferred alternative
- Design and construct preferred alternative.

There was a brief question and answer period.

Mr. Gillespie stated that what they wanted to leave with the group tonight is some of the decisions you need to make - continue as is, continue or produce wholesale, proceed with the development of a PSA.

Mr. Gillespie introduced Mr. Tom Fore, who has worked with a PSA, worked in a PSA as an employee, he now has oversight across the Board and probably has more experience than anyone else in this room as far as a PSA is concerned.

Mr. Fore stated he is not here as a consultant. He produces water for the Town of Amherst and is Superintendent for the Water and Wastewater for Amherst. He has been doing this for 25 years. He was a member of the Amherst County Board of Supervisors when they set up their Public Service Authority. They have been successful in building their water and sewer systems to a greater capacity. With a Public Service Authority you can do more. They created watersheds which have proved to be beneficial. Their PSA is made up of the Board of Supervisors. However, you can determine how you want to set up your PSA.

In Amherst, if a water line is within so many feet of your property, when you move in, it is mandatory that you hook in. However, if the water line is being installed down your road, they will offer you a hook up at a reduced rate. If later you decided to hook up, you will pay whatever the going rate is at that time.

Mr. Fore is presently working to establish a Broad Band PSA for Amherst County.

Mr. Fore stated that Nelson County is a perfect example of what can be done through a PSA.

After a short discussion period, Mr. Carter thanked Mr. Gillespie, Mr. Rogers and Mr. Fore for their very informative presentation.

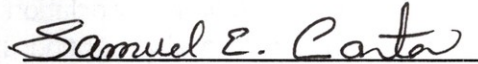
Mr. Carter asked if anyone had anything they wished to say.

Mr. Wilson said he would like to encourage you to send this back to Region 2000 for another study. We started with a cost of \$16.4 million dollars, then \$5.5 million dollars and now it is \$1.4 million, and after we get our beautiful grants, we end up paying \$400,000 for a water line. If we send it back a couple more times, we may even get a monthly royalty check, a pipe line and free water. He feels this is encouraging.

Mr. Carter asked if there was any other business to be discussed.

Mr. Spiggle stated the Town Council had a few items to discuss.

At 8:18 p.m. Mr. Carter asked for a motion to dismiss the Board of Supervisors. Mr. Moore, made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye.


Samuel E. Carter, Chairman

At 6:30 p.m. on Monday, April 4, 2005, the Appomattox County Board of Supervisors held its regularly schedule meeting in Council Chamber of the Appomattox Town Office located on Linden Street, in Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
J. O. Overstreet – County Attorney

At 6:32 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to give the invocation. Mr. Carter then asked those present to pledge allegiance to the American Flag.

Mr. Carter next called for the **Setting of Agenda:**

Item #8A was added to Approval of Bills: Barry Watkins - \$95.00 Reimbursement for tables.

Mr. Carter continued with the next item: **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens. Anyone wishing to address the Board should come forward, state their name and address for the record. Speakers may not speak on items on the public hearing calendar for the day and no individual citizen will be allowed to address the Board for longer than three (3) minutes.

Herbert Evan Fleshman, Sr., Route 2, Box 549, Spout Spring, Va. 24593 – It is with mixed emotions that he stands before the Board. As a member of the Carver-Price Alumni Association, he is asking that the Board reconsider its past decision regarding the current footage requirements and make it possible for them to be allowed to utilize the entire front wing of the Old Carver-Price High School as a museum. He thinks he can truly state, as a fact, that any and all of the citizens that have addressed the Board concerning this issue, were all in favor of the Board granting their request. They were all voting citizens who voted for all of you to hold your current positions as members of the Board of Supervisors. This matter has been discussed at length, even down to our congressman and senators, and all have agreed that the realization of this project would be an asset to this town and surrounding counties in helping to attract more visitors, increase recognition and definitely increase anticipated financial income. They also state that the Carver-Price Alumni Association meets the criteria for securing grants and other financial aid and we can also depend upon them for support. It seems that the County Board of Supervisors is the only body that is so deeply entrenched in opposition to honoring our request. He further states that he is one of the "so-called" many minority citizens of the community, and proud to be so. He tries to be a law-abiding citizen and raised his children to do so. The very best of his years were spent in the U. S. Navy, serving his country. Upon retiring after 20 years of service, receiving an honorable discharge, he chose to return to his hometown where he continues to work and serve in his church and civic affairs. We are all talented in various ways so as to contribute to the continued enrichment of this our hometown and we of the Carver-Price Alumni Association do strongly believe that we can play an important role in doing so by establishing and operating a museum as outlined in our previously submitted request to the Board of Supervisors. Again your re-consideration is unanimously requested.

Rev. Walter Randolph, Pastor, Mt. Shiloh Baptist Church, Spout Spring, Va. Resides at 2851 Harvey Road, Charlotte County, VA. He is associated with several churches in Appomattox County, namely: Canaan Baptist, Jordan Baptist and Mt. Airy Baptist. He is probably affiliated with most of the Baptist Churches here in Appomattox County. During his ministry he has heard people talk about the Carver-Price Museum and they have talked about it with great enthusiasm and great excitement. But as of late he has seen and heard disappointments and discontentment coming from folks dealing with their frustrations and dissatisfaction concerning their fears dealing with the ability not to be able to realize their dreams regarding what the Carver-Price Museum should be. We were lead to believe that you were ready, willing and able to embrace our dream and to help us thrust this into reality. The area pastors have gotten together to pledge their solidarity to the coalition of Appomattox citizens. It

should be noted that the decision was supportive of this organization's efforts to establish a museum in the space requested by the Carver-Price Alumni Association. Without a doubt, we are all aware that Appomattox County is like no other county in the State of Virginia. This is the place where our great nation came together, ending the Civil War. Appomattox has definitely been associated with some of the most significant events in our Nations history. Board Members, it should be noted that we are obligated to remember and preserve our history and past it on to future generations with pride. In closing he borrowed a statement from the late, great Dr. Martin Luther King, Jr.- "We have a Dream" – O, yes, we do have a dream and it is time for that dream to become a realization. You and the Town of Appomattox, along with the many tourists that will visit our county, will all benefit greatly from the Carver-Price Museum. Thank you.

Mr. Carter asked if anyone else wished to address the Board at this time.

Mr. Carter proceeded with the next item on the agenda: **APPEARANCES:**

1. **Wayne E. Phelps, Museum Director, Historical Society:** Mr. Phelps has requested to meet with the Board to discuss some plans that the Historical Society has for the museum (old jail), and to get your permission prior to moving forward.

Mr. Phelps stated they have things on the first floor pretty much completed. The School Room upstairs is in pretty bad shape, and was not included in the work last year. He is asking to move ahead with the remodeling of the upstairs for a museum of WWI, WWII, Korean War and the history of the county men serving. It will also contain uniforms, newspaper clippings, etc.

The upstairs, tower part which they do not use at present will be used for an office and/or archives. Basically these two rooms and some painting is what we need to do and they are estimating a cost of between \$5,000.00 and \$6,000.00 totally.

2. **Christine Yuhas:** Ms. Yuhas meets with the Board to request that the County implement a paid rescue squad.

Ms. Yuhas began by stating she would like to call attention to a very serious problem in the County. It is not something that should be taken lightly. We do not have a rescue squad during the day. People work and this is a volunteer organization. If someone has a medical emergency, it will not wait until after working hours. The Concord Squad has been very helpful in taking calls, however, sometimes they cannot take our calls. Prince Edward sometimes take calls in the Pamplin area, and this area is far out of the Concord region. We need to do something about this problem. Our county needs to be able to take care of its citizens. She proposes that the Rescue Squad begin charging for services and create a paid day time squad.

Mr. Craft thanked Ms. Yuhas for taking an interest in this problem and her comments will be taken under advisement.

Mr. Carter stated that Gary Matthews with Diversified Ambulance Billing (DAB) has been invited to speak at the April 18th meeting about revenue recovery to provide emergency medical service paid personnel responding during the day time.

Many cities and counties, including Amherst County have plans in place for revenue recovery, and funding EMS. We need a Memorandum of Understanding with the Appomattox County Rescue Squad since they own the equipment, vehicles, supplies and station.

Mr. Carter next called for **ADMINISTRATIVE ITEMS:** (Items 1-6)

1. **Zoning Petitions:** Planning Commission recommendations from the Public Hearing held on March 21, 2005.

Petition #04-547 - Hugh Ratcliffe & Joan Rockwell: Conditional Use Permit to operate a rustic retreat offering fee-based lodging and nature activities in existing and planned structures on Route 623 between Route 605 and the James River. Tax Map #8(3)B, 8(3)B1, 16(A)3 and 16(A)9, 274 acres in size and zoned A-1 Agricultural.

Planning Commission voted 9-0 to recommend approval of Petition #04-547 with the following condition:

"No more than fifty (50) campers are permitted at one time on the right side of State Route 623 (as headed towards James River), and these people are not to stay any longer than seven (7) days."

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve Petition #05-0547 of Hugh Ratcliffe & Joan Rockwell as recommended by the Planning Commission with the stated condition. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #05-550 - Tana S. Painter: Conditional Use Permit to operate a Home Occupation - Automotive Repair Garage in a 25 ft by 36 ft accessory building to be built on Route 684 between Route 616 and the terminus of Route 684. Tax Map #21(3)4, 33.28 acres and zoned A-1 Agricultural.

The Planning Commission recommended on a 9-0 vote that the above petition be denied as the road itself would not handle additional traffic.

Mr. Craft made a motion, seconded by Mr. Conrad, to accept the Planning Commission's recommendation to deny Petition #05-550- Tana S. Painter. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #05-551 - Appomattox Anglican Church/A.R. Padgett, Representative. Conditional Use Permit to allow the operation of a private religious school on Route 635 between Route 460 and Route 1001. Tax Map #76(A)158 containing 6.19 acres and re-zoned on March 7, 2005 to A-1 Agricultural.

Planning Commission recommended on a 8-0 vote (Mr. Baine abstaining) to approve the above petition.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to accept the Planning Commission recommendation and approve Petition #05-551 – Appomattox Anglican Church/ A. R. Padgett, Representative, Conditional Use Permit to operate a private religious school on Route 635 between Route 460 and Route 1001. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

2. Applications for Musical or Entertainments Permits:

- a) Stonewall Vineyards:** Larry & Sterry Davis have applied for a permit to hold their annual Mayfest celebration on May 14, 2005. They are also requesting the bond fee be waived.

Mr. Moore made a motion, seconded by Mr. Armbrust, to approve the Entertainment permit from Stonewall Vineyards to hold their Mayfest celebration on May 14, 2005 and waive the bond fee. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

- b) Cross Country Hunt Club:** Ricky A. Mayberry is requesting an entertainment permit on behalf of the Cross Country Hunt Club to hold their annual turkey shoots beginning on April 2, 2005 and running through March 26, 2006. These events will take place on Saturday's only from 12:30 to 6:00 P.M. Mr. Mayberry is requesting the bond fee be waived and also that they pay a \$25.00 fee for all events, instead of the \$25.00 per event.

Mr. Craft made a motion, seconded by Mr. Conrad to approve Cross Country Hunt Club's request to hold their annual turkey shoots from April 2, 2005 to March 26, 2006 at 12:00 noon to 6:00 p.m. Also, as in the past, waive the bond fee and pay one fee of \$25.00. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. E-911 PSAP Sole Source Procurement: Approval is needed for the sole source procurement option for the telephones and selected Communications Cabling for the E-911 PSAP. We have done this on other issues related to telephone service, etc.

Mr. Overstreet explained that the Code of Virginia under Procurement Laws requires that we put out for bid contracts such as this. There are some exceptions to having competitive bidding – one is if there is a sole source practically available. What has happened is, we have already put part of the system in and this additional system would have to be compatible with it and it would be very difficult to find something that would be compatible. We are required, when we don't have that competition, to make a determination in writing that there is only one source practicably available. After the Board takes action, we are required to post this notice on our public bulletin board.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the E-911 PSAP Sole Source Procurement for the telephones and selected communications cabling. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Comprehensive Community Mental Health for Children and their Families:** Central Virginia Community Services is requesting a letter of support for a grant application that would enhance and expand community capacity to serve children and adolescents with serious emotional disturbance and their families in the Counties of Amherst, Appomattox, Bedford and Campbell and the Cities of Bedford and Lynchburg. They are not requesting any funding for this grant only your endorsement.

After some discussion, Mr. Moore made a motion, seconded by Mr. Armbrust, to write a letter of support endorsing the Comprehensive Community Mental Health for Children and their Families grant application. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Region 2000 Regional Commission Spring 2005 Meeting:** The spring regional commission meeting is scheduled to be held at the Florence Elston Conference Center at Sweet Briar College in Amherst County on April 21, 2005 at 5:45 p.m. Anyone wishing to attend, please let Ms. Ferguson know prior to April 15, so reservations can be made.

Mr. Conrad recommended those who could, please attend.

6. **Regional Seminar on Conservation Easements and Comprehensive Plans:** Region 2000 Regional Commission has scheduled a workshop for April 26, 2005 from 2:00 p.m. to 4:30 p.m. at the Bedford Welcome Center Community Room. Topic will be Conservation Easements and Comprehensive Plans. In light of the purposed museum at the old elementary school, this may be a very informative session for anyone who wishes to attend.

Mr. Carter stated the next item on the agenda was the **CONSENT AGENDA:** (Items 7 – 10)

7. **Approval of Minutes:** Please approve minutes of the Regular meeting of March 7, 2005 and the Joint Meeting with Town Council on March 14, 2005.
8. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATION:

9. **Courthouse Bond:** Please appropriate by consent a supplemental appropriation in the amount of \$665.00 from the Courthouse Bond to pay for lock changes at the new courthouse and telephone and computer wiring service.

FUND TRANSFER:

- 10. Revenue Maximization Fund:** Please transfer and appropriate by consent \$2,585.00 from Revenue Maximization Fund to cover expenses for March 2005.

Mr. Conrad made a motion, seconded by Mr. Craft to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **INFORMATIONAL ITEMS:** (Items 11 – 13)

- 11. Planning Commission Minutes:** Appomattox County Planning Commission minutes for March 22, 2005 meeting.
- 12. Robert E. Lee Soil & Water Conservation District:** Minutes of the Board of Directors Meeting held on March 3, 2005.

13. Supervisor Concerns:

Mr. Conrad stated we have looking at ways to bring more tourism and to keep people in our community and utilize our services. He has been approached by several people during the last couple of months regarding the approval of liquor by the drink in the County. This might create some enticement to bring more business into the area. He does not have any format on this, he assumes it has to go through Richmond. He feels this may be something the Board may want to discuss in the near future.

Mr. Overstreet will look into the Code to see what step have to be taken before the Board considers this.

No one else had any concerns to present at this time.

Mr. Carter reminded the Board Members of the upcoming meetings.

April 7, 2005 @7:00 p.m.
Budget Work Session
Upper Level County Administration Building
(Old J & D Courtroom)

April 14, 2005 @ 7:00 p.m.
Budget Work Session
Upper Level County Administration Building
(Old J & D Courtroom)

April 18, 2005 @ 6:30 p.m.
Regular Meeting Appomattox County Board of Supervisors
Town Council Chambers

At 7:02 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter
Samuel E. Carter, Chairman

At 7:00 p.m. on Tuesday, April 7, 2005 the Appomattox County Board of Supervisors held a Budget Work Session in the upper level of the County Administration Building (old J & D Courtroom) located in the Courthouse Complex, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson - County Administrator

At 7:02 p.m. Mr. Carter called the meeting to order and gave the invocation.

Mr. Carter asked that the Board set some expectations for the meeting.

Ms. Ferguson stated she would like to go over the entire budget, especially requests for funding. She will point out the major increases and call attention to items she feels the Board needs to discuss.

Ms. Ferguson stated the first item of business is a supplemental appropriation for the first payment for the animal pound - \$81,056.85 to J. Harmon Saunders.

Mr. Moore made a motion, seconded by Mr. Craft to approve a supplemental appropriation for the first payment for the animal pound to J. Harmon Saunders in the amount of \$81,056.85. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson pointed out a few of the increases to this year's budget.

1. Health Insurance has a projected increase of 11.6%
2. Salary increases by 4.4% (with the exception of Law Enforcement which is 3%) (Mrs. Phelps' increase 10%)
3. Telephone line in most budgets will be blank. Under the new system all charges come in on one bill. It would be a waste of staff time to break down each bill every month and charge each department. These funds will all be put into the County Administration budget. Some Department (Sheriff's) will have some telephone monies- which will be for cell phones.
4. The other big thing in this budget is the re-assessment. The reassessment will go into effect in 2008. It will take at least 1 to 1-1/2 years to get this done. Therefore, she has included \$51,300.00 for this. Balance of re-assessment fees should come out of next year's budget. (Spread over at least 2 years).

5. On the revenue side of the budget she has projected a 2.5% growth. This is based on Davenport's projections. Mr. Mays has been too busy to get her these figures.

Ms. Ferguson reviewed the FY06 Budget by Departments. Those having sufficient increases/changes are as follows:

Commonwealth Attorney: Ms. Ferguson informed the Board that the Commonwealth Attorney has requested two (2) additional positions – an Assistant Attorney and a Secretary. Ms. Ferguson removed these, as the Compensation Board has not approved these positions. This will need to be adjusted if these are approved. There should not be any great increase as the Comp. Board funds these positions.

Sheriff's Department-Town Officers: There were two positions that were transferred from the Town Police to the Sheriff's Department. Appomattox Town has been compensating these positions since that time. However, the Town is considering not fully funding these two positions any longer. The Board may wish to pick up these expenses or cut the Sheriff's Department by one position.

There is also some question that the Compensation Board may also cut one Deputy position. Ms. Ferguson would hate to see anyone lose their job and hopefully the Board will pick up this position should this happen.

Jail: There was a lengthy discussion regarding the Budget for the Jail. The greatest increase is in the housing of inmates.

Ms. Ferguson will talk with the Sheriff in Charlotte County regarding the set-up they have for their prisoners.

Building & Housing: Part-time salaries \$1,200.00. This is for hiring someone when Inspector is out for a lengthy time (training or vacation). Basically to have footing and some other inspection taken care of.

Animal Control: Mr. Martin has requested an additional position with new truck and other equipment. She has removed this from the budget.

E-911: There is not much we can do with this budget. The salaries figure includes 14 positions.

Landfill: There was a lengthy discussion regarding the Landfill Budget and the landfill operation especially with Hurt & Proffitt, Inc.

General Properties: 10% increase in salary along with increased responsibilities and the new courthouse. They are also requesting a new vehicle with a utility body and equipped with a snow blade. Also includes the moving of administrative offices and providing a meeting room for the Board of Supervisors.

Sports Complex: Most of these funds will be donated or contributions from others.

Anticipate spending around \$100,000.00.

Contributions: Basically the same as previous years. Maybe some slight increases.

Zoning & Subdivision: No changes. We would love to hire a Planner, but cannot afford to do so at this time.

Capitol Projects Fund: This was left out last year. Ms. Ferguson has included \$380,000.00 - This is something we do not have to do.

School Board: \$19,257,353.00

Cafeteria Budget: \$869,196.00

Total: \$20,126,549.00

There was some discussion regarding the Budget for the School.

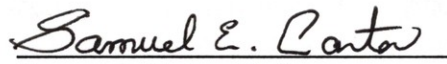
Social Services have not submitted their budget. Figures from last year were used in order to come up with total for the FY 06 Budget.

After figuring in the total budget and the total projected revenue, we have a budget shortfall of \$2,959,885.00

Ms. Ferguson has suggested that all changes be made on the copy of the budget that each member currently has. A new copy will not be printed each time changes are made.

Next Budget Work Session will be on Thursday, April 14, 2005 at 7:00 p.m.

At 8:57 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

At 7:00 p.m. on Thursday, April 14, 2005 the Appomattox County Board of Supervisors held a Budget Work Session in the upper level of the County Administration Building (old J & D Courtroom), located on Morton Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

SCHOOL BOARD:

Ms. Amy Martin – Chairman
 Clifford Rhodenizer
 Raymond W. Mitchell
 Todd D. Pickett

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 Dr. Walter Krug - Superintendent County Schools
 William Perrow – Director of Business
 Janice M. Marston – Director of Instruction & Personnel
 Dorina G. Grasty – Director of Remedial & Special Education
 Martha J. Eagle – Director of Career & Technology Education

At 7:02 p.m. Mr. Carter called the meeting to order and gave the invocation.

Mr. Carter welcomed everyone and stated the first order of business was the School Board.

Ms. Amy Martin began by thanking the Board for everything they have done for the School Board and trying to understand the budget they have put forth. Dr. Krug will update you with some information that has changed since the last meeting. She realizes the Board has a vast undertaking in deciding the budget. As always they are asking your consideration and any way you can help will be greatly appreciated.

Dr. Krug stated that they had presented a budget that would meet their needs. The 3% increase in teachers salaries is probably on the low side and there is a need to stay competitive. Also, at the last meeting the Board asked about salaries in comparison with other school divisions and he has a little of that data to be presented tonight.

Dr. Krug discussed the projected enrollment for next year; the shifting of teachers and other adjustments that needed to be done to accommodate student requests for classes. Dr. Krug also discussed how Appomattox County ranks with other counties regarding teachers and administrative salaries.

There was some discussion regarding the salary increase for most all of the School System personnel.

Mr. Perrow explained the 3% rate of increase is an average, based on the present salary step level.

Teachers – range from 1.7% to 7%

Support Staff - Other than cafeteria and teachers assistants – 1% - 3%

Food Service – 5% to 7%

Teacher Aides – will be based on their skill levels, some up to maybe 15%.
 (positions reevaluated)

Administration & Directors – up to 10 ½%

Even with these increases, our staff is still below the basic salary of surrounding vicinities.

Mr. Carter thanked the School Board and staff for their budget preparation.

Ms. Dianne Miller with AWAG presented the Board with their budget request. They did not handle as many animals this past year as they have in the past, but they have some animals that were in much more severe conditions. Ms. Miller also discussed their financial statements for the past two (2) years. They are also requesting that the license fee be increased – \$10.00 for un-sterilized and \$5.00 for sterilized. This would be in line with surrounding areas.

After a brief discussion period, Mr. Carter thanked Ms. Miller for coming before the Board.

Mr. Barry Morris, Librarian and Mr. Jan Peterson, Member of the Library Board presented the budget request for the Library. Mr. Peterson stated the main thing he has to discuss is the excellent job Mr. Morris is doing with the Library. Mr. Morris, stated that he would not spend too much time discussing salary increases as they are expecting around a 2% increase over all. They are seeing an increase in the computer usage. They purchased eight (8) new computers last year, mainly using grant funds. They were able to open the Pamplin Branch and it is doing very well. Requests for Library Cards is up over the past couple of years. He would like to see the interior of the Jamerson Library painted and some of the carpet in the heavy traffic areas, replaced with tile. He would also like to see the mulching, weeding, etc. around the Library be included as a part of the landscaping contract. He noticed this week that when the town worked on "Abbitt Park", that side of the building looked great, but the front, back and parking lot side needs work.

Mr. Morris concluded by asking if anyone had any questions regarding the library.

Mr. Eric Eberly, Extension Agent, gave a brief explanation of his budget. He reported that Ms. Tillitson has made an excellent transition into her position. A lot of their budget needs are in the Home Economics area and he expects that in some future time he would be coming back to the Board asking for additional funds.

Mr. Carter thanked Mr. Eberly for his budget presentation.

Ms. Ferguson presented several informational items for the Board's consideration.

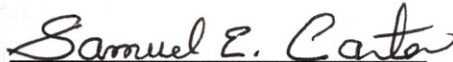
1. Letter from IDA regarding the cement plant locating in the Industrial Park.
2. On Monday, May 23, 2005 at 6:30 p.m. the Appomattox Town Council would like to have a joint meeting to discuss the water situation. Majority of the Board is agreeable with this date.
3. The Appomattox Town Council has informed Ms. Ferguson that they will only provide \$49,000.00 toward the police department contract. When they asked the County to take over their two (2) police positions when they did away with their police department, they agreed to provide partial funding. They also may cut out the \$5,000.00 contribution to the Library as they feel their

citizens pay County taxes and should not have to pay this extra fee for services. Also, The Town is considering closing the DMV office because they are not generating enough revenue to pay the expenses, etc. They are asking if the County would like to take this as a joint venture and supplement the DMV as a service to the community. It is estimated that this would cost the County \$3,500.00 annually. The Board is not interested in taking on the DMV office.

Ms. Ferguson then presented the Revenue side of the Budget. Mr. Mays is only showing \$194,845.00 additional dollars in revenue. Personal Property and other taxes are less this year than last year. Some taxes stayed the same.

Ms. Ferguson also presented the changes that have been made to the Expense side of the budget.

At 9:30 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

At 6:30 p.m. on Monday, April 18, 2005, the Appomattox County Board of Supervisors held it's regularly scheduled meeting in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
J. O. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation.

Mr. Carter then asked those present to give the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

Add: Item 22 - Closed Session

Mr. Carter then called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance to the citizen.

Having no one to speak at this time, Mr. Carter moved to the first item on the Agenda.

Diron Martin, Captain and Susan Walton, President, of the Appomattox County Rescue Squad wish to address the Board regarding paid and volunteer rescue squads.

Mr. Martin began by saying that in light of the recent events reported by the news media he thought it appropriate that the Board of Supervisors be advised of the squads status on these issues. After much discussion, the squad since 1961 has been all volunteers and still is volunteers. If they have any say in the matter, it will remain all volunteers. They do not see a need to charge people as our population is getting older by the day, and most are on a fixed income. They do not need another service to pay for. At this point, we do not see a need to start charging for services. The news media stated that we have a 23 minute response time, that may be so. When you take into consideration everything that has to go into that 23 minute response time, it is not as bad as it sounds. We need to pursue a large public ad, a cooperative effort, either monthly or weekly, to inform the people of the appropriate time to call 911. Nausea, vomiting, and headaches, were things that people used to take care of themselves. Today, everyone wants to call the rescue squad. We need to go back to the basics and take these types of things back to the doctor's office. The rescue squad is being abused – I use the term abused lightly – but the doctors offices and nursing homes use the squad for everything. There are several options, they as a group, have discussed that they would like to pursue with the cooperation of the Board in an informal setting with a committee. They would like to entertain the idea of forming an informal committee so they can sit down and discuss some of these ideas and maybe re-form the sub-committee that was formed some years ago and have some understandings, because he doesn't think they have always been put in the right light. We really need a communication line between the Board and the squad. He asks that if and when a Board member receives a complaint about the squad, please call him, because if he does not know there is a problem, he cannot fix it. In closing, he asks the Board to form a committee of all the public safety departments and the Board to come up with a way to educate the public on the appropriate use of the 911 system.

Mr. Carter suggested that they reconvene the sub-committee comprised of the Board, the Town Council and Rescue Members. Ms. Ferguson will get back to Mr. Martin.

Mr. Carter stated that since the next scheduled speakers were not yet present, the Board would move to the **ADMINISTRATIVE ITEMS:** (Items 1 – 4)

1. **VDOT Revenue Sharing Program Resolution:** We have been informed by VDOT that the revenue sharing funds have been increased for the upcoming year and they wish to know if we would like to request additional funding for a specific project. After talking with Don Austin, it was determined that we should

move some funds that are presently designated for a turning lane on Route 460 at Route 609, to a traffic light at the shopping center. The reason for this move is that we have no concrete plans at the moment concerning the turning lane on Route 460 and they will be moving forward with the light at the shopping center.

Mr. Armbrust made a motion, seconded by Mr. Moore to adopt the following resolution:

WHEREAS, in the Fiscal Year 2003-04 the County of Appomattox elected to participate in the Virginia Department of Transportation Revenue Sharing Program for 0609-006-xxx,N501 (UPC 68168) for a total of \$50,000.00 county match and \$50,000.00 state match and

WHEREAS, project 0609-006-xxx,N501 (UPC 68168) has been delayed due to project development, and

WHEREAS, the Appomattox County Board of Supervisors would like to adopt the following project as a revenue sharing project;

Install traffic signal at Route 460, 0.30 mile west of Route 26, Project #TS-3A-05 (UPC 76925)

WHEREAS, the County of Appomattox would like to transfer the funds from project 0609-006-xxx,N501 (UPC 68168) as follows:

0609-006-xxx,N501 (UPC 68168) \$25,000.00 county share and \$25,000.00 VDOT share to the new Route 460 traffic signal project at the location defined above.

BE IT RESOLVED, that the Appomattox County Board of Supervisors requests that the revenue sharing funds in the amount of \$50,000.00 be transferred from project 0609-006-xxx,N501 (UPC 68168) to the new Route 460 project listed and described above.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Carter, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Animal Pound Change Orders:** Change orders for the animal pound construction project have been received. These change orders total a decrease in the construction cost of \$15,050.00.

NOTE: We will be receiving another change order for a change in the drainage system that is being installed in the building that will be an increase equal to this decrease. The bottom line is, we are not realizing this decrease in the overall project.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the change orders to the Animal Pound Project in the amount of a \$15,050.00 decrease. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Permit Application for Musical or Entertainment Festival:**

- a. **Stonewall Antique Power Association:** Stonewall Antique Power Association is requesting a permit to hold their annual event on May 21 and May 22, 2005. They are also requesting the bond fee be waived.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the request by Stonewall Antique Power Association to hold their annual event on May 21 and May 22, 2005 and also waive the bond fee. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **CDBG Funding:** There is some consideration being given to reducing CDBG funding by the federal government. As you are aware, we have used this funding source in the past for several large projects, one of which is the Community Center. We are presently seeking a CDBG grant for renovations and upgrades to the old elementary school. The Regional Commission is suggesting that we write a letter to our Senator and Congressman and express our concerns with this possible reduction in funding.

Mr. Moore made a motion, seconded by Mr. Conrad, to have Ms. Ferguson draft a letter to our Senator and Congressman expressing our concerns regarding this possible reduction in funding. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **CONSENT AGENDA:** (Items 5-15)

5. **Approval of Minutes:** Please approve minutes of Regular Meeting on March 21, 2005; Joint Public Hearing on March 21, 2005; Joint Meeting w/Town Council on March 28, 2005 and the Regular Meeting on April 4, 2005.
6. **Approval of Bills:** Please approve bills for payment as presented.

FUND TRANSFERS:

7. **CSA Funds:** Please transfer by consent \$2,500.00 from the CSA Fund to cover administrative fees for February and March 2005.
8. **Sports Complex Fund:** Please transfer and supplement by consent a supplemental appropriation in the amount of \$10,567.30 to cover construction of soccer and baseball parking lots.

SUPPLEMENTAL APPROPRIATIONS:

9. **Sheriff's Department:** Please supplement and appropriate by consent \$449.46 to the Overtime line in the Sheriff's Department for overtime reimbursed by the school system.

Please appropriate by consent a supplemental appropriation in the amount of \$100.00 to the TRIAD line in the Sheriff's Budget for a donation received.

10. **Courthouse Construction Bond:** Please appropriate by consent a supplemental appropriation in the amount of \$1,171.70 to pay expenses at the new courthouse.
11. **Library:** Please appropriate by consent a supplemental appropriation in the amount of \$3,608.54 to the Library budget for fines, etc.
12. **Animal Pound:** Please appropriate by consent a supplemental appropriation in the amount of \$2,268.17 for Architect and Engineering fees for the new animal pound.
13. **Appomattox County Public Schools:** Please appropriate by consent a supplemental appropriation in the amount of \$1,090.00 to the schools budget for funds received from the Virginia Tobacco Settlement Foundation Grant.

Please appropriate by consent a supplemental appropriation in the amount of \$10,027.31 for funds received from Virginia Department of Medical Assistance Medicaid Reimbursement.

Please appropriate by consent a supplemental appropriation in the amount of \$4,581.96 for funds received from United Way of Central Virginia.

Please appropriate by consent a supplemental appropriation in the amount of \$913.14 for funds received from Mutual of Omaha Dental.

LINE ITEM TRANSFERS:

14. **County Administrator:** The County Administrator requests that you transfer by consent \$8,333.00 from professional services under the Board to County/Town water project to pay the Regional Commission.
15. **Landfill:** Please transfer by consent \$1,092.00 from the landfill disposal budget to landfill collection budget to cover insurance for vehicles.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 16 – 21)

16. **PSAP Construction Bid Public Notice:** Public notice has been placed in the newspaper for bids on the PSAP renovation.
17. **Appomattox County Public Schools:** Monthly Financial Statement for March 2005.
18. **Adult Education and Family Literacy Advisory Council:** Mary Jo Pulliam has provided a copy of the minutes of the Adult Education & Family Literacy Advisory Council meeting on March 14, 2005.
19. **Appomattox Town Council:** Agenda for Town Council meeting on April 11, 2005.

20. Robert E. Lee Soil and Water Conversation District Annual Report:
Annual Report has been received.

Mr. Carter called for **Supervisor Concerns:**

Mr. Carter stated he wished to read a letter regarding the Appomattox County National Honor Society. "Thank you so very much for the opportunity to come before you on April 24, 2005 at 3:00 p.m. at the Appomattox County High School Auditorium. Our National Honor Society Members recognizes how invaluable our Appomattox County Volunteers are and wish to honor them during National Volunteer Appreciation Week. We will be presenting them with individual certificates, framed department certificates, and small favors as well as light refreshments and entertaining them with jazz music." This is an invitation to the Board of Supervisors to attend this event to be held on Sunday, April 24, 2005 at 3:00 p.m. at the High School Auditorium.

At 6:49 p.m. Mr. Carter called a recess until after the Public Hearing, scheduled for 7:00 p.m.

At 7:53 P.M. Mr. Carter reconvened the Board of Supervisors meeting.

Mr. Carter called **Gary Christie, Executive Director Region 2000 Regional Commission** to address the Board: Mr. Christie is present to update the Board on the Regional Commission and to discuss with you a name change for the Commission.

Mr. Christie stated he is relatively new to the area. He was previously County Administrator of New Kent County so he has experience from the County side and has worked with City/Town areas as he has in the past served as Town Manager of South Boston, VA. He is looking forward to working with the County to do some really interesting things. One of the things they are doing to make their organization more effective is to take four (4) regional organizations and blend them into one that would be more cost effective and have better communications within their organization. They have the Region 2000 Economic Development Partnership, Region 2000 Technology Council, Region 2000 Workforce Investment Board as well as the Planning District Commission. Each of these organizations have separate Boards, as well as some of them are located in different places. This new organization will be called the "Virginia's Region 2000 Regional Council". The local tag will be "Local Government Council". To make this happen, they need all their member jurisdictions to approve a charter change which will authorize them to go from a "regional commission" to a "regional council". This will give people one place to call, one place to e-mail and one web site that would give more information in a much more efficient manner.

Mr. Christie thanked the Board for allowing him to speak tonight and for allowing the Regional Commission to work with them during the past.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adopt the following resolution authorizing a name change for the Region 2000 Regional Commission:

Whereas, the Region 2000 Regional Commission desires to create a wider and more efficient network of regional governmental services, and

Whereas, the Region 2000 Regional Commission believes that working together with the Region 2000 Economic Development Partnership, the Region 2000 Workforce Investment Board and the Region 2000 Regional Technology Council will allow our organizations to work more effectively and efficiently and allow our organizations to take advantage of natural synergies and avoid duplications or conflicts in services, and furthermore,

Whereas, the Region 2000 Regional Commission believes that these agencies can create a better public image and a stronger agency identity if these regional agencies work more closely together and better communicate and coordinate our missions and priorities, and furthermore,

Whereas, the Region 2000 Regional Commission believes that the people and local governments of the Greater Lynchburg region would be better served by more coordinated efforts of these agencies that use the Region 2000 brand, and

Whereas, the Region 2000 Regional Commission has voted unanimously on January 20, 2005 to recommend to member jurisdictions to change the name of the Commission to utilize a common "Brand Name" that can be used by the four regional agencies.

Now Therefore Be It Resolved, that Appomattox County Board of Supervisors offers this Resolution in support of amending the Charter of the Region 2000 Regional Commission as follows:

Article I, Section 1:

The name of this organization shall be the ~~Region 2000 Regional Commission~~
Virginia's Region 2000 Partnership-Regional Council, hereinafter called the Local Government Council.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called **David Rose, of Davenport & Company** to address the Board. Mr. Rose is here to present the results of Davenport's research concerning funding for the landfill, PSAP and animal pound.

Mr. David Rose passed out a document containing the information requested on funding possibilities for upcoming County building projects.

Mr. Rose began by stating they are pleased to report that they have been able to secure funding that is most optimal to the County. This report contains proposals from three (3) banks, BB&T, Wachovia and Sun Trust; BB&T Private Placement vs VRA Funding and Comparison of Financing Approaches. Davenport is recommending proceeding with the BB&T Private Placement approach for the following reasons:

1. Flexibility:

The County has maximum flexibility through the Private Placement approach with respect to prepaying the debt.

2. Costs:

Total costs through the Private Placement approach are significantly less than the costs associated with the VRA approach.

3. All-in Debt Service:

The total debt service via the Private Placement approach is less than that of the current **estimate** provided by VRA.

With an already substantial amount of savings through the Private Placement approach, the risk exposure is prevalent and will very likely increase the disparity between the two approaches (in favor of the Private Placement approach).

4. Interest Rates:

As we speak, the Fed is raising rates, so the ability to lock-in on a known fixed rate is paramount.

The next recommended steps would be:

1. Approval of Resolution from the Board of Supervisors
2. Schedule IDA meeting to review the financing and consider Resolution
3. Close on transaction by May 12, 2005.

After much discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the following bond resolution pending approval by the County Attorney:

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF APPOMATTOX, VIRGINIA**

WHEREAS, the Board of Supervisors of Appomattox County, Virginia (**the "Board of Supervisors"**) directed Davenport & Company LLC (**the "Financial Advisor"**) to prepare a Request for Proposals (**the "RFP"**) to obtain financing proposals to pay the costs of the acquisition, design, construction and equipping of (i) a new Animal Shelter Facility (**the "Animal Shelter Project"**), (ii) an enhanced E-911 emergency dispatch facility (**the "E-911 Project"**) and (iii) the closure of an existing cell at the County Landfill and the installation of a new cell at the County landfill (**the "Landfill Project"**), together, the Animal Shelter Project, E-911 Project and the Landfill Project are referred to as the **"Projects"**);

WHEREAS, the Financial Advisor has received responses to the RFP that reflect attractive financing for the Projects and, after reviewing the responses, the Financial Advisor along with the County's Bond Counsel, Sands Anderson Marks & Miller (**"Bond Counsel"**) has recommended that the Board of Supervisors select the proposal from Branch Banking & Trust (**the "BB&T Proposal"**);

WHEREAS, the Board of Supervisors has reviewed each of the responses and recommendations from the Financial Advisor and Bond Counsel and has determined that the BB&T Proposal is the most beneficial response to the RFP and provides attractive financing terms for the Projects and the Board of Supervisors on behalf of the County desires to accept such BB&T Proposal and proceed with the financing reflected therein;

WHEREAS, the Board of Supervisors will request the Industrial Development Authority of the County of Appomattox, Virginia (**the "Authority"**) to issue, offer and sell its lease revenue notes or bonds (**the "Bonds"**) to finance the acquisition, design, construction and equipping of the Projects, with the Landfill Project financed with a ten (10) year amortization at the interest rate of 3.84% per annum and the Animal Shelter Project and the E-911 Project being financed with a fifteen (15) year amortization at the interest rate of 3.96% per annum to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the "Act"**), with the County providing its moral obligation in support of the payment of the Bonds; and

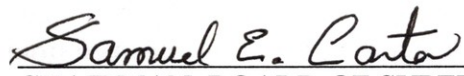
NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox, Virginia:

1. The County hereby accepts the BB&T Proposal and instructs the Financial Advisor and Bond Counsel to take all such action as necessary or appropriate to conclude the financing as set forth in the BB&T Proposal by the issuance of the Bonds of the Authority based upon the recommendation of the Financial Advisor.
2. The following plan for financing the costs of the Projects is approved. The Authority shall use the proceeds from the issuance of the Bonds to finance on behalf of the County, the acquisition, design, construction and equipping of the Projects for lease to the County for a lease term not less than the term of the Bonds at a rent sufficient to pay when due the interest and principal on the Bonds. The obligation of the Authority to pay principal and interest on the Bonds will be limited to rent payments received from the County under the lease agreement. The obligation of the County to pay rent under the lease agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the repayment of the Bonds. The Bonds will be secured by an assignment of rents to BB&T (**the "Bank"**) as the holder thereof. If the Board of Supervisors exercises its right not to appropriate money for rent payments, the Bank may terminate the lease or otherwise exclude the County from possession of the Projects.
3. The County by acceptance of this financing agrees to indemnify, defend and save harmless, to the extent permitted by law, the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Bonds or the acquisition, design, construction and equipping of the Projects.
4. Nothing in this Resolution, the Bonds or any documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Bonds except from payments made by or on behalf of the County under the lease agreement pursuant to annual appropriation thereof in

accordance with applicable law.

5. The County hereby designates, and allocates to the Authority in relation to the issuance of the Bonds, such designation as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. The County does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than \$10,000,000 in qualified tax exempt obligations during calendar year 2005 and the County (and any of its subordinate entities) will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.
6. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Bonds for Expenditures with respect to the Projects, made on or after February 18, 2005, the which date is no more than 60 days prior to the date of the adoption of the Board's Reimbursement Resolution. The County reasonably expects that it will reimburse the Expenditures with the proceeds of the Bonds. The maximum principal amount of the Bonds expected to be issued for the Projects is \$4,200,000.
7. This resolution shall take effect immediately.

ADOPTED THIS 18th OF APRIL 2005.


CHAIRMAN, BOARD OF SUPERVISORS

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Appomattox, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on April 18th, 2005, by the Board of Supervisors with the following votes:

Aye: Mr. Carter, Mr. Armbrust, Mr. Conrad, Mr. Craft, Mr. Moore.

Nay:

Abstentions:

Signed this 18 day of April, 2005.

By: _____

Clerk, Board of Supervisors

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Rose expressed his thanks to Ms. Ferguson and her staff for their cooperation in putting together this project.

Ms. Ferguson informed the Board that the IDA meets on Monday, April 25, 2005 at the Community Center and they should consider joining them to discuss this matter.

Mr. Carter thanked Mr. Rose for his presentation.

Mr. Carter stated that a Closed Session was necessary under Code of Virginia §2.2-3711 A.1 Personnel Matters involving performance and salary of County Employees.

At 8:10 p.m. , Mr. Conrad made a motion, seconded by Mr. Armbrust, to enter into closed session as per Code of Virginia, §2.2-3711 A. 1 – Personnel Matters. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:30 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to return to regular session. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter read the following certifying motion:

WHEREAS, this Board convened in a closed meeting under §2.2-3711 A. 1, of the Code of Virginia, Personnel Matters, for the purpose of discussing performance and salary increase for County Employee.

AND WHEREAS, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

***NOW BE IT CERTIFIED**, that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:*

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter called for action as a result of the closed session.

All Members of the Board commented on Ms. Ferguson's willingness to act as Clerk to the Board. She has done an excellent job in every endeavor the Board has given her to do.

Mr. Craft made a motion, seconded by Mr. Conrad, to increase the County Administrator's salary by 6% effective July 1, 2005. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter asked if anyone had any other issues to discuss.

Ms. Ferguson reminded everyone of the upcoming meeting/events:

Region 2000 Dinner
Thursday, April 21, 2005 @ 5:45 P.M.
Sweet Briar College

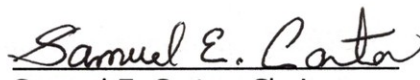
(those carpooling - meet at the County Administration Office at 5:00 p.m)

Budget Work Session
Friday, April 22, 2005
At 5:00 to 6:30 p.m.
Upper Level – County Administration Building
(old J & E Courtroom)

Joint Meeting with IDA
Monday, April 25, 2005 at 7:00 p.m.
Appomattox Community Center

Budget Work Session
Thursday, April 28, 2005 at 7:00 p.m.
Upper Level County Administration Building
(old J & D Courtroom)

At 8:40 p.m. Mr. Conrad made a motion, seconded by Mr. Moore, to recess until Monday, April 25, 2005 at 7:00 p.m. at the Appomattox County Community Center. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

At 7:00 p.m. on Monday, April 18, 2005, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint public hearing at the Appomattox Town Office located on Linden Street, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien – Chairman
Steve Conner
Al Sears
Calvin Tanner
Jerry Hughes
Marvin Mitchell
Robert Johnson
Barry Morris
Shannon Dews
Bryan Baines

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John O. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

Mr. Carter opened the Public Hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting immediately following the Public Hearing at the Appomattox Community Center. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and/or against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Spencer.

Mr. Spencer read the first petition:

05-552 – John H. & Merlyn M. Burks: Request to rezone 1.88 acres located on Route 732 between Route 460 and the terminus of Route 732 from Residential District R-1 to General Residential District R-2 in order to create an additional building lot for a residential dwelling. The subject property is identified as Tax Map #62(5)A.

Mr. Spencer called for comments for this petition.

Mr. John H. Burks came forward and gave his address as 109 Kingswood Lane, Lynchburg, Va. 24504. Mr. Burks stated he recently purchased this lot in Spout Spring and would like to rezone it in order to place another dwelling on this lot. It would not be a mobile home it would be a modular or better. He would be willing to include this in the deed if necessary.

Ms. Lois Bartell of Route 2, Box 2335, Spout Spring, Va. spoke next. She is against the re-zoning of this property. It is her understanding that in the R-2 district the lot only has 8 ft. frontage. She is totally against the adding of another dwelling on the road because it would take away from the rural setting.

Mr. Spencer called for additional comments on this petition.

Hearing none, Mr. Spencer read the next petition.

05-553 – Anchor Sales, Inc./Larry Rakes: Request for a Conditional Use Permit to allow the operation of a ready mix concrete plant on Route 630 between Route 460 and Route 676. Subject property is a portion of Tax Map #90(7)A and is 3.00 acres in size and is zoned Industrial District M-1.

Mr. Spencer called for comments in favor of this petition.

Mr. Larry Rakes of Rt. 1, Box 711, Appomattox, Va.: Mr. Rakes stated he was in favor of this petition. Mr. Rakes stated he approached Mr. O'Brien about this concrete plant when he read in the newspaper that they were having a hard time locating at another site. When he was zoned M-1, he promised his neighbors that he would be a good neighbor and keep a buffer zone of about 12 feet. He maintains approximately 18 to 20 feet of tree line. He also deals with a lot of concrete plants and he has seen little dust and he feels like the new satellite plants are not as hazardous as a fully operational concrete plant. He purchased his land for an investment. He owns 10 acres and he is selling 3 acres to Lynchburg Ready Mix. This is an excellent location for this business and he feels they will be good neighbors.

Mr. Paul Richards, Route 6, Box 1755BC, Appomattox, Va.: He has seen little towns die constantly because of the lack of businesses. If we want this town to grow and prosper, we will have to bring businesses into keep the people here and have jobs here. If we continue to refuse businesses from coming in, we might as well close the doors because we will not have any tax base, no one working to pay taxes and eventually the town will fold.

Mr. Bobby O'Brien, 1912 Quarry Road, Lynchburg, Va. 24503.: Mr. O'Brien stated he is president and owner of Lynchburg Ready Mix. They are hoping to have this petition approved so they can set up a new state-of-the-art concrete facility. Every part of this plant would be brand new and all would be up to or beyond standards. Air pollution equipment that will be attached which will control the dust at the loading point, is to be built in the next six weeks. It will be a clean operation meeting all necessary air and

water permits. There will be 2 to 3 trucks and 3 employees at the facility with a potential of 5 in the near future. He doesn't feel they will be an eyesore for the neighborhood. There should be no traffic problems. They will be able to provide ready mix concrete in a clean and efficient manner. He doesn't feel they are the enemy, they are here to be a part of the community.

Mr. Mike Torrence, of Route 1, Box 1462, Spout Spring, Va.: Mr. Torrence stated he has been a life long resident of the County and has no vested interest in this concrete plant. He has known the owners of this company for over 20 years. He feels this is a good business for Appomattox County.

Mr. Bob Parson, Route 2, Box 564F, Appomattox, Va.: Mr. Parsons stated he is one of the contractors that would be using the services of this business. This facility will have a faster batch time, faster turn around, making his crews more effective and he will be able to get much more work done. He feel this will be beneficial to other businesses as well as those needing concrete.

Mr. Chuck Warner, Route 1, Box 567, Appomattox, Va.: Mr. Warner stated Appomattox needs this concrete plant. Service will be much better and more efficient. We need concrete to build houses and other businesses. If it has to be hauled out of Lynchburg, it will cost him more, which will in the long run cost everyone more. He does not see where this operation would create an increase in traffic.

Mr. Phillip Jamerson of J. E. Jamerson & Sons, Appomattox, Va. Mr. Jamerson is in favor of granting this petition. He has worked with Lynchburg Ready Mix for years and he feels they will be an asset to the community.

Mr. Spencer called for comments against this petition.

Mr. Herbert Hamlett, Route 1, Box 575A, Appomattox, Va.: Mr. Hamlett stated he is a resident of the community of Evergreen and he is strictly opposed to the approval of this petition for several reasons. One is the location on Route 630 which is the main entrance to our community. Even with the buffer zone and the state-of-the-art equipment, after a year or two, there will be dust and dirt. He is also concerned about the pollution and restriction of the natural flow of the small stream that flows through this property. The main reason he is opposed is because it will be directly across the road from a residential area, where the neighbors keep their property clean and neat.

Mr. William Hodges, Route 1, Box 714, Appomattox, VA.: Mr. Hodges stated that his home is directly across for the site. They will have to tolerate dust, noise, etc. He is concerned about property values. This is his home and how would each of you like to have this business in your front yard. He asks the Planning Commission and the Board of Supervisors to vote against this request.

Mr. David Mason, Route 1, Box 712, Appomattox, VA: Mr. Mason stated his front door is about 100 to 150 yards of the proposed site. He is concerned about the dust that will be created over a period of time. He has spoken with Mr. Smith of Lynchburg Ready Mix and he feels they are honest and will do what they say they will do. He has 22 years

background with maintenance and construction work. He is concerned about the portion of Route 630 from the entrance of the proposed plant to Route 460, developing pot holes, bad shoulders, etc. He is also concerned about security lights shining on his home, especially in the winter months when there is little foliage on the trees. Please do not misunderstand him, he is not against businesses coming in, however, he is asking that you not put this concrete plant in his front yard.

Ms. Barbara McLaughlin, Route 676, Evergreen, Va.: Ms. McLaughlin states she lives within ¼ miles of the proposed location for this concrete plant. As the crow flies, she is only about 1500 yards. She has a health concern – she suffers from asthmatic bronchitis and she is afraid that the dust and other air pollutants will add to the problems she already has. She is also concerned about the traffic entering Route 460 from Route 630. If the Industrial Park would not consider this business, why should it be placed here in a residential neighborhood.

Mr. Kent Hodges, Route 1, Box 744, Appomattox, VA.: Mr. Hodges is opposed to the approval of this petition. Mr. Hodges is concerned about the adverse effects this plant will have on his mother and father who have lived in the neighborhood for 35 years. It would depend on which way the wind was blowing, if they would be able to open a window or even hang clothes on the line. He feels the neighbors were done wrong when the property was rezoned previously but Mr. Rakes has done what he said he would do by not putting anything there that would take away from their property. Now he is trying to sell this property to Lynchburg Ready Mix for a cement factory. He feels there are certain areas in the county that need to be looked at – some of the areas that were zoned one way years ago, need to be looked at again and maybe rezoned. Today, he visited the Lynchburg Ready Mix plant in Amherst where they have a state-of-the-art facility, he also took pictures, it was not a pretty sight. He does not feel the Planning Commission should approve this petition.

Mr. Gordon Staples, P. O. Box 96, Evergreen, VA.: Mr. Staples stated he owns 2 acres of land on the corner of Route 460 and Route 630. At present, there are no buildings on this land because they have not decided what to do with it. However, they are concerned about the cement plant. His home is approximately 1600 feet from the proposed plant. He is concerned about property values, both for himself and his neighbors. He has toured two Lynchburg Ready Mix plants and they have a pile of sand, a pile of stone, and silos of cement. There is also stuff deposited on the ground from trucks that are not emptied. He is concerned about the number of trucks entering and exiting this facility. He asks that you consider putting this plant in the Industrial Park or some other place.

Mike Gaydos, P.O.Box 34, Evergreen, Va.: Mr. Gaydos stated he will not be as effected as the other neighbors as he lives up the hill. He is retired and relocated here last year. He has seen what big business can do. He believes in a man making a living. He moved here for the fresh air, the quiet neighborhood, country atmosphere and he would like to see things stay as it is.

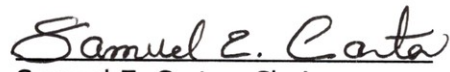
John Davids, resides at the intersection of Route 630 and 676. Mr. Davids stated he likes Mr. Rakes and thinks he is a fine person. However, he doesn't feel the proposed

property is large enough to accommodate this type of business. He is concerned about the run off from this operation into the neighboring streams. He is also afraid that this business will grow out of control. He is asking that this petition not be approved.

There was also a petition presented to the Board of Supervisors and the Planning Commission containing approximately 80 signatures of those persons in the surrounding community who are opposed to locating this type of business on the property in question.

Mr. Spencer called for additional comments for or against this petition. Hearing none, he turned the meeting back to Mr. Carter.

At 7:47 p.m , Mr. Carter declared the public hearing closed.


Samuel E. Carter, Chairman

On Friday, April 22, 2005 the Appomattox County Board of Supervisors held a budget work session at 5:00 p.m. in the upper Level of the County Administration Building, old J & D Courtroom, on Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator

At 5:00 p.m. Mr. Carter called the work session to order and gave the invocation.

Ms. Ferguson stated she had several items to present to the Board before they got into the budget discussion.

The Appomattox Anglican Church is asking that the landfill dumping fee be waived on a one time occurrence. This dumpster was placed at their disposal by Johnny Knight and they are asking that the fee for this be waived. The Board by consensus agreed to waive this fee.

The Appomattox Town Council has asked if the Appomattox County Board of Supervisors would be interested in sharing any of the expenses incurred beyond the

revenue received in order to continue the DMV service in the Appomattox area. The Town Council feels they can no longer continue to completely fund this office.

Mr. Craft stated he did not care to enter into an open ended contract as the Town has not quoted any specific amount.

Mr. Carter stated the Board was not in a position to take on any more expenditures at this time.

The Board by consensus agreed that they cannot enter into any agreements at this time.

Ms. Ferguson has been contacted by several people to see if the Board has any interest in participating in the Piedmont Community Services program.

The Board is not interested at this time.

The Board next turned their attention to the Budget review.

The Budget for the E-911 Emergency Services has been cut considerable. Salaries were changed from 7 months to 5 months, due to a change in the start up date.

The Landfill Budget was discussed at some length. Contributions were discussed, line by line. The consensus, was to level fund several of these contributions. No new contributions were considered for FY 2006.

Capital Improvement Fund was removed.

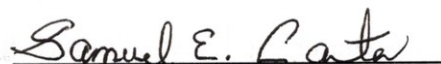
There was a lot of discussion regarding the School Board Budget.

There was some discussion regarding the Old Elementary School Building. Ms. Ferguson will talk to Mr. Overstreet regarding re-negotiating the lease agreement. Also there was some discussion regarding sending a letter to the Carver-Price Alumni Association regarding their signing the Lease.

Ms. Belter has suggested that the tax due date be moved again this year to June 25, 2005 due to the time involved in approving the budget, and setting the tax rate.

The Board by consensus agreed to move the due date for real estate taxes to June 25, 2005.

At 6:15 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, April 25, 2005 the Appomattox County Board of Supervisors held a recessed meeting from Monday, April 18, 2005 with the Appomattox Industrial Development Authority at 7:00 p.m. at the Appomattox Community Center located off Confederate Boulevard in Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft - Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Industrial Development Authority)

William S. Slagle – Chairman
Cecil Wooldridge
Wayne Lewis
Winfred Nash
James (Buddy) Conner
Laurie Harris

ABSENT: (Industrial Development Authority)

Walter Hancock

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
J. G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Dan Siegel – Attorney - Sands, Anderson, Marks & Miller

At 7:00 p.m. Mr. Carter called the meeting to order and gave the invocation.

Ms. Ferguson stated the purpose of the meeting was to review a proposal for financing the E911 Center, the Animal Pound and a new Landfill Cell. She then introduced Mr. Dan Siegel of Sands, Anderson, Marks & Miller, who explained the IDA Resolution .

Mr. Siegel asked if any Board members or IDA members had any questions or needed any explanations pertaining to the Resolution.

Mr. Craft made a motion, seconded by Mr. Conrad, for the Board of Supervisors to adopt the following resolution:

AUTHORIZING RESOLUTION OF THE BOARD OF SUPERVISORS

OF APPOMATTOX COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors (the “**Board of Supervisors**”) of Appomattox County, Virginia (the “**County**”) previously directed Davenport & Company LLC to prepare a Request for Proposals (the “**RFP**”) to obtain financing proposals for the costs of the acquisition, design, construction and equipping of

(i) a new Animal Shelter Facility (**the "Animal Shelter Project"**), (ii) an enhanced E-911 emergency dispatch facility (**the "E-911 Project"**) and (iii) the closure of an existing cell at the County Landfill and the installation of a new cell at the County landfill (**the "Landfill Project", together, the Animal Shelter Project, E-911 Project and the Landfill Project are referred to as the "Projects"**) and;

WHEREAS, the Financial Advisor received responses to the RFP that reflected attractive financing for the Projects and, after reviewing the responses, the Financial Advisor along with the County's Bond Counsel, Sands Anderson Marks & Miller (**"Bond Counsel"**) recommended that the Board of Supervisors select the proposal from Branch Banking & Trust (**the "BB&T Proposal"**); and

WHEREAS, the Board of Supervisors reviewed each of the responses and recommendations from the Financial Advisor and Bond Counsel and determined that the BB&T Proposal was the most beneficial response to the RFP and provided attractive financing terms for the Projects and the Board of Supervisors on behalf of the County accepted such BB&T Proposal to proceed with the financing reflected therein at its meeting on April 18, 2005; and

WHEREAS, the Board of Supervisors has requested the Industrial Development Authority of the County of Appomattox, Virginia (**the "Authority"**) to issue, offer and sell its lease revenue note or bond in an amount up to \$4,200,000 (**the "Bond"**) to finance the cost of the acquisition, design, construction, renovation, expansion, equipping and furnishing of the Projects and to lease the Projects to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the "Act"**), providing the County's moral obligation in support of the payment of the Bond and the Authority has agreed to do so; and

WHEREAS, the Authority, based on the request of the Board of Supervisors, would (a) use the proceeds of the Bond to pay the costs incurred and to be incurred in connection with the Projects, including costs of issuing the Bond, (b) lease the Projects to the County under a ground lease and a lease agreement with the Authority and, (c) secure the Bond by an assignment of its rights under such lease agreement (except the right to receive indemnification, to receive notices and to give consents and to receive its administrative expenses) to Branch Banking & Trust Company (**the "Bank"**), under an assignment agreement between the Authority and the Bank, which is to be acknowledged and consented to by the County, all in accordance with a bond purchase agreement among the Bank, the County and the Authority;

WHEREAS, there have been presented to this meeting drafts of the following documents (**collectively, the "Documents"**) in connection with the transactions described above, copies of which shall be filed with the records of the Board of Supervisors:

- a. a Ground Lease, dated as of May 1, 2005, between the County and the Authority conveying to the Authority a leasehold interest in the property described therein (**the "Ground Lease"**);
- b. a Lease Agreement, dated as of May 1, 2005, between the Authority and the County (**the "Lease Agreement"**) conveying to the County a leasehold interest in the Projects;

- c. a Bond Purchase Agreement, dated as of May 1, 2005 among the Authority, the County and the Bank, pursuant to which the Bond is to be issued (**the "Bond Purchase Agreement"**);
- d. an Assignment Agreement, dated as of May 1, 2005 between the Authority and the Bank, assigning to the Bank certain of the Authority's rights under the Lease Agreement and the Ground Lease, which is to be acknowledged and consented to by the County (**the "Assignment Agreement"**); and
- e. a Specimen Bond.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox, Virginia:

1. All costs and expenses in connection with the undertaking of the acquisition, design, construction, renovation, expansion, equipping and furnishing of the Projects and the issuance of the Bond including the Authority's expenses, the fees and expenses of the County and the County Attorney, and the fees and expenses of Bond Counsel and the Bank, for the sale of the Bond, shall be paid from the proceeds therefrom or other funds of the County. If for any reason the Bond is not issued, it is understood that all such expenses shall be paid by the County and that the Authority shall have no responsibility therefor.
2. The Board of Supervisors hereby instructs the Bond Counsel to take all such action as necessary or appropriate to conclude the financing with the Bank as set forth in the Bond Purchase Agreement by the issuance of the Bond of the Authority.
3. The following plan for financing the costs of the Projects is approved. The Authority shall use the proceeds from the issuance of the Bond to finance on behalf of the County, the costs of the acquisition, design, construction, renovation, expansion, equipping and furnishing of the Projects for lease to the County for a lease term not less than the term of the Bond at a rent sufficient to pay when due the interest and principal on the Bond. The obligation of the Authority to pay principal and interest on the Bond will be limited to rent payments received from the County under the Lease Agreement. The obligation of the County to pay rent under the Lease Agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose.

The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the repayment of the Bond. The Bond will be secured by an assignment of rents to the Bondholder as the holder thereof. If the Board of Supervisors exercises its right not to appropriate money for rent payments, the Bondholder may terminate the lease or otherwise exclude the County from possession of the Projects. The issuance of the Bond on the terms set forth in a Bond Purchase Agreement is hereby approved.

4. The Board hereby approves the Documents and the form of the Bond in a maximum amount of \$4,200,000 with the Landfill Project financed with a ten (10) year amortization at the interest rate of 3.84% per annum and the Animal Shelter Project and the E-911 Project being financed with a fifteen (15) year amortization at the interest rate of 3.96% per annum, with such changes, including but not limited to changes in the amounts, dates, payment dates and rates as may be approved by the officer executing them whose signatures shall be conclusive evidence of his approval of the same.
5. The Chairman or Vice Chairman of the Board of Supervisors, or either of them, and the County Administrator are each hereby authorized and directed to execute the Documents and such other instruments and documents as are necessary to create and perfect a complete assignment of the rents and profits due or to become due in favor of the Bank, to issue the Bond.
6. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the "Code"**) or otherwise cause the interest on the Bond to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the Authority or the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Bond.
7. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
8. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Bond, and the undertaking of the

acquisition, design, construction, renovation, expansion, equipping and furnishing of the Projects is hereby approved, ratified and confirmed.

9. The County by acceptance of this financing agrees to indemnify, defend and save harmless, to the extent permitted by law, the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Bond, or the acquisition, design, construction, renovation, expansion, equipping and furnishing of the Projects.
10. Nothing in this Resolution, the Bond or the Documents shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Bond or the Documents except from payments made by or on behalf of the County under the lease agreement pursuant to annual appropriation thereof in accordance with applicable law.
11. The County hereby designates, and allocates to the Authority in relation to the issuance of the Bond, such designation as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code. The County does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than \$10,000,000 in qualified tax exempt obligations during calendar year 2005 and the County (and any of its subordinate entities) will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.
12. The Board on behalf of the County hereby designates the Bond as eligible for the "small issuer exception" to the rebate requirements of Section 148(f)(2) and (3) of the Code pursuant to Section 148(f)(D)(vii) of the Code, as the Authority is a subordinate entity of the County under Section 148(f)(4)(D) of the Code and the County is a governmental unit with general taxing powers, no bond which is a part of the Bond will be a private activity bond, 95% or more of the net proceeds of the Bond are to be used for local governmental activities of the Authority and the County, and the aggregate face amount of all tax-exempt bonds, excluding private activity bonds to be issued by the County and the Authority during the calendar year 2005 is not reasonably expected to exceed \$5,000,000 increased by the lesser of \$10,000,000 or so much of the aggregate face amount of the Bonds as are attributable to financing the construction of public school facilities within the meaning of Section 148(f)(D)(vii). The Board on behalf of the County hereby allocates to the Authority \$4,200,000 of its small issuer size limitation for the calendar year 2005 to the Bond for purposes of Section 148(f)(4)(D) of the Code.

13. This resolution shall take effect immediately.

ADOPTED THIS 25th OF APRIL, 2005.

CHAIRMAN, BOARD OF
SUPERVISORS

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Appomattox, Virginia hereby certifies that the Resolution set forth above was duly adopted during an open meeting on April 25, 2005, by a majority of the members of the Board of Supervisors at a regular meeting with the following votes:

Aye:

Nay:

Abstentions:

Signed this ____ day of _____, 2005.

By: _____

Clerk, Board of Supervisors

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Wooldridge made a motion, seconded by Mr. Conner, for the Industrial Development Authority to adopt the following resolution:

RESOLUTION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE COUNTY OF APPOMATTOX, VIRGINIA

WHEREAS, the Board of Supervisors of Appomattox County, Virginia (**the “Board of Supervisors”**) desires to obtain financing for the acquisition, design, construction and equipping of (i) a new Animal Shelter Facility (**the “Animal Shelter Project”**), (ii) an enhanced E-911 emergency dispatch facility (**the “E-911 Project”**) and (iii) the closure of an existing cell at the County Landfill and the installation of a new cell at the County landfill (**the “Landfill Project”**, together, **the Animal Shelter Project, E-911 Project and the Landfill Project are referred to as the “Projects”**);

WHEREAS, the Board of Supervisors has requested the Industrial Development Authority of the County of Appomattox, Virginia (**the “Authority”**) to (a) issue, offer and sell its lease revenue note or bond in an approximate amount of up to \$4,200,000 (**the “Bond”**) to finance the costs of the acquisition, design, construction and equipping of the Projects and (b) to lease the Projects to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the “Act”**), and the Authority has agreed to do so; and

WHEREAS, the Authority proposes to (a) use the proceeds of the Bond to pay a portion of the costs incurred and to be incurred in connection with the Projects, including costs of issuing the Bond, (b) lease the Projects to the County pursuant to a ground lease and a lease agreement with the Authority, and (c) secure the Bond by an assignment of its rights under such lease agreement (except the right to receive indemnification, to receive notices and to give consents and to receive its administrative expenses) to Branch Banking and Trust Company (**the “Bank”**), under an assignment agreement between the Authority and the Bank, which is to be acknowledged and consented to by the County, all in accordance with a bond purchase agreement among the Bank, the County and the Authority;

WHEREAS, there have been presented to this meeting drafts of the following documents (**collectively, the “Documents”**) in connection with the transactions described above, copies of which shall be filed with the records of the Authority:

- a. a Ground Lease, dated as of May 1, 2005, between the County and the Authority conveying to the Authority a leasehold interest in the property described therein (**the “Ground Lease”**);
- b. a Lease Agreement, dated as of May 1, 2005, between the Authority and the County conveying to the County a leasehold interest in the Projects (**the “Lease Agreement”**);
- c. a Bond Purchase Agreement, dated as of May 1, 2005 among the Authority, the County and the Bank, pursuant to which the Bond is to be issued (**the “Bond Purchase Agreement”**);
- d. an Assignment Agreement, dated as of May 1, 2005 between the Authority and the Bank, assigning to the Bank certain of the Authority’s rights under the Lease Agreement and the Ground

Lease, which is to be acknowledged and consented to by the County (the "Assignment Agreement"); and

- e. a Specimen Bond.

WHEREAS, there has also been presented to this meeting the Authority's public facility lease revenue bond, in an amount not to exceed \$4,200,000 with the Landfill Project financed with a ten (10) year amortization at the interest rate of 3.84% per annum and the Animal Shelter Project and the E-911 Project being financed with a fifteen (15) year amortization at the interest rate of 3.96% per annum, with such changes, including but not limited to changes in the amounts, dates, payment dates and rates as set forth in the attached form of the Bond.

NOW THEREFORE, BE IT RESOLVED by the Industrial Development Authority of the County of Appomattox, Virginia:

1. The Authority hereby finds and determines that the undertaking of the acquisition, design, construction and equipping of the Projects for the County will be consistent with the purposes of the Act and that the Projects will be "authority facilities" within the meaning of the Act.
2. All costs and expenses in connection with the undertaking of the acquisition, design, construction and equipping of the Projects and the issuance of the Bond, including the Authority's expenses, the fees and expenses of the County and the County Attorney, and the fees and expenses of the Bond Counsel and the Bank, for the sale of the Bond, shall be paid from the proceeds therefrom or other funds of the County. If for any reason the Bond is not issued, it is understood that all such expenses shall be paid by the County and that the Authority shall have no responsibility therefor.
3. The Authority hereby accepts the structure proposed by the Bank and instructs the Bank and Bond Counsel to take all such action as necessary or appropriate to conclude the financing by the issuance of the Bond of the Authority at the request of the Board of Supervisors.
4. The following plan for financing the costs of the Projects is approved. The Authority shall use the proceeds from the issuance of the Bond to finance the costs of the acquisition, design, construction and equipping of the Projects for lease to the County for a lease term not less than the term of the Bond at a rent sufficient to pay when due the interest and principal on the Bond. The obligation of the Authority to pay principal and interest on the Bond will be limited to rent payments received

from the County under the lease agreement. The obligation of the County to pay rent under the lease agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Bond will be secured by an assignment of rents to the Bank as purchaser of the Bond and subsequent assignee thereof (**the "Bondholder"**) as the holder thereof. If the Board of Supervisors exercises its right not to appropriate money for rent payments, the Bondholder may terminate the lease or otherwise exclude the County from possession of the Projects, subject to judicial authority as to the Projects. The issuance of the Bond on the terms set forth in a bond purchase agreement is hereby approved.

5. The Authority hereby approves the Documents and the form of the Bond in a maximum amount of up to \$4,200,000 with the Landfill Project financed with a ten (10) year amortization at the interest rate of 3.84% per annum and the Animal Shelter Project and the E-911 Project being financed with a fifteen (15) year amortization at the interest rate of 3.96% per annum, with such changes, including but not limited to changes in the amounts, dates, payment dates and rates as may be approved by the officer executing them whose signatures shall be conclusive evidence of his approval of the same.
6. The Chairman or Vice Chairman of the Authority, or either of them, and Secretary of the Authority are each hereby authorized and directed to execute the Documents and such other instruments and documents as are necessary to create and perfect a complete assignment of the rents and profits due or to become due in favor of the Bank, to issue the Bond, and to lease the Projects.
7. The Authority agrees to the recommendation of the County that Sands, Anderson, Marks & Miller, a Professional Corporation, Richmond, Virginia, serve as bond counsel and hereby appoints such firm to supervise the proceedings and approve the issuance of the Bond and consents to such firm acting in such capacity as well as Special Authority Counsel in this financing.
8. The Authority represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the "Code"**) or otherwise cause the interest on the Bond to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the Authority shall comply with any provision of law that may require the Authority at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Bond; provided, however, the Authority is relying upon all such actions and payments, if any, to be done and made by the County.

9. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
10. All other acts of the officers of the Authority that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Bond and the undertaking of the acquisition, design, construction and equipping of the Projects is hereby approved, ratified and confirmed.
11. The County by acceptance of this financing, to the extent permitted by law, agrees to indemnify, defend and save harmless, to the extent permitted by law, the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Bond, or the acquisition, design, construction and equipping of the Projects.
12. Nothing in this Resolution, the Bond, or the Documents shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Bond or the Documents except from payments made by or on behalf of the County under the lease agreement pursuant to annual appropriation thereof in accordance with applicable law.
13. The Authority hereby designates the Bond as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. The Authority does not reasonably anticipate issuing more than \$10,000,000 in qualified tax exempt obligations during calendar year 2005 and the Authority will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.
14. The Board of Supervisors on behalf of the County designated the Bonds as eligible for the "small issuer exception" to the rebate requirements of Section 148(f)(2) and (3) of the Code pursuant to Section 148(f)(D)(vii) of the Code, as the Authority is a subordinate entity of the County under Section 148(f)(4)(D) of the Code and the County is a governmental unit with general taxing powers, no bond which is a part of the Bond will be a private activity bond, 95% or more of the net proceeds of the Bond are to be used for local governmental activities of the Authority and the County, and the aggregate face amount of all tax-exempt bonds, excluding private activity bonds

to be issued by the County and the Authority during the calendar year 2005 is not reasonably expected to exceed \$5,000,000 increased by the lesser of \$10,000,000 or so much of the aggregate face amount of the Bond as are attributable to financing the construction of public school facilities within the meaning of Section 148(f)(D)(vii). The Board of Supervisors on behalf of the County allocated to the Authority \$4,200,000 of its small issuer size limitation for the calendar year 2005 to the Bonds for purposes of Section 148(f)(4)(D) of the Code.

15. This resolution shall take effect immediately.

ADOPTED THIS 25th DAY OF APRIL, 2005.

CHAIRMAN

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Secretary of the Industrial Development Authority of the County of Appomattox, Virginia hereby certifies that the Resolution set forth above was adopted in an open meeting on April 25, 2005, by the Authority with the following votes:

Aye:

Nay:

Abstentions:

Signed this ____ day of April, 2005.

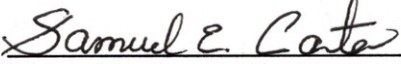
By: _____

Secretary

ROLL CALL VOTE: Mr. Slagle, aye; Mr. Wooldridge, aye; Mr. Lewis, aye; Mr. Nash, aye; Mr. Conner, aye; and Ms. Harris, aye. (6 aye votes – 1 absent)

It was then agreed that the Chairman of the Board of Supervisors, the Clerk of the Board of Supervisors, the Chairman of the IDA and the Secretary to the IDA would meet on Tuesday, May 10, 2005 at 4:30 p.m. in the Upper Level of the County Administration Building (old J & D Courtroom) to sign the necessary papers for this financing.

At 7:35 p.m. Mr. Armbrust made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Thursday, April 28, 2005 the Appomattox County Board of Supervisors held a Budget Work Session at 7:00 p.m. in the Upper Level of the Administration Building (old J. & D. Courtroom).

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:
 Aileen T. Ferguson – County Administrator

At 7:00 p.m. Mr. Carter called the meeting to order and gave the invocation.

Mr. Carter asked if the Board wanted to put an internal control on to stop by 8:30 p.m. if they have not completed the budget.

Also, Mr. Carter wanted to bring everyone up to speed on a meeting held on Wednesday at the IDA Park. At 5:00 p.m. on Wednesday, April 27, 2005 he met with Bill Slagle, Bobby O'Brien, Steve Smith, John Spencer and Wayne Lewis at the Industrial Park. The meeting centered around the concrete plant. This plant is needed in Appomattox but it is not needed in the location that is currently petitioned for. The County, all sub-components of it, need to make this a win-win situation for everyone. Not only a win-win situation for the County but also for Mr. O'Brien, we need his industry in Appomattox. The Evergreen community is completely in turmoil and the rest of the county is upset because it was not located in the Industrial Park. This seemed to be a very productive meeting and everyone seems to be satisfied. Hopefully, everything is moving forward and the misconceptions that were previously published in the news paper have been completely cleared up.

Mrs. Ferguson stated that at the last meeting the decision was made to reduce the School Budget by \$1,230,441. By doing this, we are cutting the match and taking money from programs that need to function. She has worked out several scenarios:

- A. In order to reduce the school budget and not affect State Funds you can only cut \$813,124.00. This is all local money over and above the required match. Total budget will be \$18,444,229.00 with no extra local money.

Increase over last years total budget \$467,012.00.

- B. If you level fund local money you can cut \$556,429.00.
Total budget will be \$18,700,924.00.
This included \$256,695.00 that is over what is required to meet the State match.
This will be an increase over last year's total budget of \$723,707.00.
- C. By reducing their overall budget by \$1,023,441.00 you will be affecting State Funds.

After everything she can possibly come up with cutting expenditures unless you want to take out what you have put in for repairs to buildings, the bottom line difference between revenue and expenditures is \$1,497,363 short. She and Ms. Belter have been over everything they can possibly think of. The conclusion is what is the maximum amount of money they can take out of surplus without cutting any type of operations or causing any type of cash flow problems? The answer is \$1,200,000 which still leaves you \$297,363 short. This does not touch the CIP account which has 3.2 million in it. This is just operating reserves which has built up over the years from one thing or another.

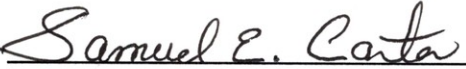
There was a lot of discussion on how to balance the budget.

Ms. Ferguson will notify the School Board that the Board will give them what it takes to match the SOQ's and incentives and we are unable to give any additional funding due to financial constraints.

The Public Hearing for the Budget will be advertised for May 9, 2005 at 6:30 p.m. and hopefully adopt the budget at the May 23, 2005 meeting.

We are also looking at possibly changing some of our service fees to bring them more in line with surrounding localities. This may bring in a little more revenue.

At 8:00 p.m. Mr. Armbrust made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, May 2, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
J. G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

There are a couple of changes to be made under Administrative Items:

Item #5 – Language change to reflect May 16th in lieu of May 9th.

Change time from 6:30 p.m. to 6:00 p.m. and

Change place to Appomattox Town Office instead of Old J & D Courtroom.

Item #5A - Language should read "Change Due Date on Real Estate Taxes from June 5th to June 25th.

There were also two (2) items to be added:

Item #19 – Supervisor Concerns

Item #20 – Set up tentative budget meeting

Mr. Carter next called for **Citizen Public Comments:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Ms. Darlene Reed stated she is appearing as a concerned citizen. She would like to talk about the old Appomattox Elementary School. This school has a lot of history and she is asking that the Board reconsider what the Carver-Price Alumni Association has asked regarding the additional rooms. In order for the history to be told, they have so much information that comes from all the surrounding counties, history that is not found in the history books. In order to provide this history, they need this additional space.

Having no one else to address the Board, Mr. Carter moved into the next item on the agenda.

ADMINISTRATIVE ITEMS: (Items 1 – 7)

- 1. Zoning Petitions:** Recommendations from the Planning Commission regarding petition heard at the Public Hearing held on April 18, 2005:

#05-552 – John H. & Merlyn M. Burks: Request to rezone 1.88 acres located on Route 732 between Route 460 and the terminus of Route 732 from Residential District R-1 to General Residential F-2 in order to create an additional building lot for a residential dwelling. Property is identified as Tax Map #62(5)A.

This petition has been withdrawn.

#05-553 – Anchor Sales, Inc./Larry Rakes: Request for Conditional Use Permit to allow the operation of a ready mix concrete plant on Route 630 between Route 460 and Route 676. Property is a portion of tax map #90 (7)A, 3.00 acres in size and zoned Industrial District M-1.

Planning Commission recommended on a 5-3 vote (with members Conner, Sears and Tanner abstaining) that the above petition be approved as submitted without conditions.

Mr. Carter stated that the Board has received a letter requesting that this petition be tabled until further information can be received.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to table action on this petition until further notice. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Law Enforcement Agreement:** The Law Enforcement Agreement between the Town of Appomattox and the County of Appomattox will expire on June 30, 2005. A new agreement has been received.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Craft to approve the Law Enforcement Agreement between the Town of Appomattox and the County of Appomattox, effective July 1, 2005. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Bids for Installation of E-911 Signs:** Five bids have been received for the signs needed to complete the E-911 road naming and the installation of these signs. The low bidder was Dogwood Sign Company with a bid of \$18,949.00. This company is presently installing signs in Buckingham County.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Moore, to accept the bid from Dogwood Sign Company in the amount of \$18,949.00 for the manufacturing and installation of the E-911 road naming signs. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Urban and Community Forestry Grant:** Fred Kruschwitz has found a grant to help with landscaping at the entrance at the Community Park. A resolution is needed from the Board to accompany this grant application.

Mr. Armbrust made a motion, seconded by Mr. Craft, to adopt the following Resolution of Support for a Urban and Community Forestry Grant to help fund the landscaping at the entrance at the Community Park.

**RESOLUTION OF SUPPORT
GRANT REQUEST
APPOMATTOX COUNTY DEPARTMENT OF RECREATION**

WHEREAS, the Department of Forestry and Trees Virginia provides funds to assist political subdivision of the Commonwealth of Virginia by providing the Urban and Community Forestry Assistance Grant for the planting of trees at the Appomattox County Community Park; and

WHEREAS, there are urgent needs within the park to plant trees; and

WHEREAS, it is fitting to promote tree planting, the care of trees, the protection and enhancement of urban and community forest ecosystems, and education of trees throughout the park; and

WHEREAS, we are more aware than ever before of the importance of which planting trees will have in our future lives and in the lives of our children and grandchildren;

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX COUNTY BOARD OF SUPERVISORS that the County wholeheartedly supports the grant application of the County of Appomattox and hereby urges the Virginia Department of Forestry to look favorably upon this application and fund the project as outlined there by improving the quality of life of all citizens of our county.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Budget Public Hearing:** The FY2006 Budget is ready to publish and schedule a date for the public hearing.

It may be necessary to hold another budget work session prior to public hearing. The public hearing is scheduled for May 16, 2005 at 6:00 p.m. at the Appomattox Town Office.

- 5A. **Change Due Date on Real Estate Taxes:** Due to time restraints, it will be necessary to change the Due Date for Real Estate Taxes from June 5, 2005 to June 25, 2005.

Mr. Moore made a motion, seconded by Mr. Conrad to change the due date for Real Estate Taxes from June 5, 2005 to June 25, 2005. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Appomattox Youth Sports Requests:** Mr. Kevin O'Brien of Appomattox Youth Sports is requesting that they be allowed to install an electrical line from the concession stand at the Town Ballpark to a trailer that is serving as a storage

building. The reason for this request is so they can go in this trailer at night to get equipment that they may need.

There was some discussion regarding the fact that this request had been made previously and was denied. The Board previously felt that anything needed from this trailer could be gotten before dark.

Mr. Craft stated he understood this trailer gets very hot and they need electricity in order to connect a fan.

Mr. Craft made a motion, seconded by Mr. Moore to table this until further information can be obtained. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 7. Landscaping/Mowing Contract:** The bids have been received for mowing, mulching, weeding and general yard work for the Health Department, Library and Courthouse Square.

Ms. Ferguson informed the Board that Rob Stewart came by her office today and withdrew his bid as he felt he already had more work than he can handle. Mrs. Ferguson also explained the bids, based on one mulching/weeding and twenty-three (23) mowings: EBF's bid was \$9,025; LF's bid was \$7,615.

Mr. Armbrust made a motion, seconded by Mr. Craft, to award the Landscaping/Mowing Contract to Larry Ferguson at a price of \$7,615.00. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 8 – 12)

- 8. Approval of Minutes:** Please approve minutes of Budget Work Session on 4/7/05; Budget Work Session on 4/14/05; Joint Public Hearing on 4/18/05; Regular Meeting on 4/18/05; and Budget Work Session on 4/22/05.

- 9. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 10. Sheriff's Department:** Please appropriate by consent a supplemental appropriation in the amount of \$797.00 for an overtime grant received by the Sheriff's Department.

Please appropriate by consent a supplemental appropriation in the amount of \$1,297.35 for reimbursement received from the U. S. Department of Justice.

Please appropriate by consent a supplemental appropriation in the amount of \$1,282.00 to the Triad line in the Sheriff's budget for a donation received.

FUND TRANSFER:

11. **Revenue Max. Fund:** Please transfer and appropriate by consent a supplemental appropriation in the amount of \$2,585.00 from the Revenue Max. Fund to pay the Central Virginia Community Services bill.

LINE ITEM TRANSFER:

12. **Landfill:** Please transfer by consent \$15,250.00 from the landfill disposal budget to the landfill collection budget to pay for the new entrance to the Old Oakville School container site.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 13-18)

13. **The Annual Freedom Fund Banquet:** Enclosed is an invitation from the Appomattox County Branch of the NAACP for their annual banquet to be held on May 14, 2005 at the Carver-Price Cultural Center.
14. **CVAAA By-Laws Change:** As you will remember Mr. Conrad explained at a prior meeting the new procedure for appointing representatives to the CVAAA Board. Enclosed is an explanation from the CVAAA for your review.
15. **Lee's Retreat Tenth Anniversary:** You are invited to the Tenth Anniversary celebration for the driving tour of the Route of Lee's Retreat. The details are enclosed.
16. **Audit of the Circuit Court Clerk's Accounts:** Enclosed is a letter from the Auditor of Public Accounts concerning an audit of the Circuit Court Clerk's accounts. All appears to be in order.
17. **Department of Transportation:** Enclosed for your information is the VDOT quarterly report.
18. **Public Hearing held by DEQ on Regional Water Plan:** There will be a public hearing on May 11, 2005 at 2:00 p.m. on the proposed regulations concerning Regional Water Plans. Also, enclosed are several documents concerning this matter that you may find helpful.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad stated that some time ago the Board discussed and initiated a lease with the Carver-Price Alumni Association for use of a portion of the old Appomattox Elementary School. We have signed this lease and it has not been returned to us. He feels that at this point in time, based on events coming up and because there is no action on this lease, we should consider voiding this lease. Tomorrow he is to meet with a panel to interview three (3) architectural consultants that will be bidding on actually doing the renovation work or making technical calls on the foundation work at the school. Based on this, he feels we should contact the Alumni Association regarding the waiving of this lease.

There were no other Supervisor Concerns to be heard.

Mr. Carter called for **Item 20: Tentative Budget Work Session:** Ms. Ferguson will determine if an additional meeting is necessary. She will be contacting each Board

member as to the date and time for this meeting. It was decided that Thursday, May 5, 2005 at 7:00 p.m. at the old J & D Courtroom would be agreeable with everyone.

Mr. Carter next called attention to the upcoming meetings:

Thursday, May 5, 2005 @ 7:00 p.m.
Budget Work Session
Old J & D Courtroom
Upper Level – Administration Building
(If necessary)

Monday, May 16, 2005 @ 6:00 p.m.
Public Hearing on the FY2006 Proposed Budget
Town Council Chambers

Monday, May 16, 2005 @ 6:30 p.m.
Regular Meeting of the Board of Supervisors
Town Council Chambers

Monday, May 16, 2005 @ 7:00 p.m.
Joint Meeting with the Appomattox Planning Commission

Monday, May 23, 2005 @ 6:30 p.m.
Joint Meeting with the Town of Appomattox
Town Council Chambers

At 7:00 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Thursday, May 5, 2005, the Appomattox County Board of Supervisors held a Budget Work Session at 7:00 p.m. in the Upper Level of the County Administration Building (old J & D Courtroom) located on Morton Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 Willie H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT: Aileen T. Ferguson, County Administrator

At 7:02 p.m. Mr. Carter opened the meeting and gave the invocation.

Mrs. Ferguson informed the Board that Herb Chambers has been hired by Sheriff Staples to work the front door at the Courthouse.

Mrs. Ferguson also gave a brief explanation of why the budget was advertised with a tax increase. There are a couple of reasons for having to do a tax increase. There was some confusion on the reimbursement of the Courthouse Bond. She thought everything that has been spent thus far had been submitted for re-imbursement. However, she has found approximately \$350,000 that we need to ask reimbursement for, including what is involved in the repairs to the back of the Courthouse. We only have \$191,000 left in the Bond, therefore we have overspent. When Mrs. Belter gave her the \$1.2 million figure that we could use, that was contingent upon not doing any supplemental appropriations between now and the end of the year. In going through my expense budget and looking at the expenses I have found almost \$55,000 that needs to be supplemented for Juvenile Detention and almost \$100,000 for CSA. There is no way to get through this. There is also \$90,000 for housing inmates outside of the locality. Social Services Budget just came in today. The good thing is there is not a huge increase in the local money but there is a decrease in the Federal and State dollars. She will ask that the budget be approved on May 16, 2005 because Social Service's budget year runs from June 1 to May 31.

The other thing she had not anticipated is that the actual debt service on the landfill, animal pound and 911 center is going to end up being about \$100,000 more than the original estimate.

There was some discussion on the letters received regarding the School Budget.

Mr. Carter asked how the other members felt regarding off duty deputies taking their vehicle home as opposed to having them left at the Sheriff's Department for use by other officers. Some other localities are going to this practice.

Mr. Conrad has been asked why there is such a large expenditure for the construction of the E911 Center and what is being done with the E911 taxes paid with the telephone bills.

Ms. Ferguson stated that most people do not understand that this Utility Tax is being used for the signage and the professional services involved. This is not being used for the actual construction of the PSAP. Also, in a few years, we will probably not be able to collect this Utility Tax.

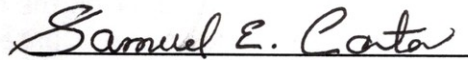
Mr. Conrad stated he had a complaint he would like to discuss, not pertaining to the budget.

Down on James Ford's road, Route 641, someone who lives out that way, owns a tractor-trailer and is driving through this neighborhood too fast. They are running people off the road and vibrating houses. The neighbors have approached this person and they have been ignored. Do these neighbors need to contact the Transportation Department or the State Police? Can the Board take any action?

Mr. Carter has spoken to Sheriff Staples regarding speeding in this area before.

There was some discussion regarding the renovation of the old elementary school and the interviews done last week.

At 7:47 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, May 16, 2005 the Appomattox County Board of Supervisors held a Public Hearing at 6:00 p.m. in the Council Chambers of the Appomattox Town Office. The purpose of this public hearing was to receive comments on the FY 2006 County Budget.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
J. G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:00 p.m. Mr. Carter opened the public hearing and stated the rules governing the public hearing. It is necessary that certain rules of order prevail at all hearings of the Board of Supervisors as follows:

Each speaker will have up to five (5) minutes available whether speaking as an individual or a representative of any group or organization.

However, should the number of speakers registered to speak on any one subject exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. Unless instructed by a majority of the Board present and voted to do otherwise, the Chairman shall enforce the time limits as appropriate.

Mr. Carter stated that there were three (3) speakers signed up to speak tonight and he asked if anyone else would like to speak.

Mr. Carter then called the first speaker.

Watkins Abbitt stated he represented a loose knit business group in Appomattox who have been meeting and trying to discuss some of the things they think will benefit our County. He thanked the Board for their willingness to serve and for the job they do and urged them to continue to run the County in a businesslike manner. He would like to present two (2) things tonight: 1) the Landfill and 2) the 911 system.

He has checked with the County Administrator's office to see what the proposed landfill costs would be per ton to bury it. If he is correct, we were around \$45 to \$47 per ton when we closed this cell. Most of you are aware that Allied Waste is building a transfer station here. They have put an offer on the table to the County of \$18 per ton for the first 400 tons and then will negotiate a price on the rest per month, per ton. He has done some calculations on 40 tons a day- 30 days a month using figures he has been given, the high end cost using Allied would be around \$39.00 per ton – the low end is \$35.00. Allied is also willing to sign a twenty (20) year contract with the County. (This contract would also include an inflation factor.) They are very appreciative of being allowed to come into this County and we believe this a business decision that the Board needs to consider. Allied is also proposing to hire all our landfill employees, so no one will lose their job. He feels this is very generous of them. Mr. Abbitt is also concerned about the six (6) cents increase in the proposed tax rate. Those who own commercial property saw sky rocketing increases in their taxes during the last reassessment. They are very concerned about bringing industry and business in without increasing taxes. The savings that will come from using Allied will amount to about what the proposed tax increase will bring in revenue. Several years ago we had a huge tax increase of twenty-five (25) cents which was the largest increase for the county and from his research, the largest of any county in Virginia.

He would propose an increase in the Personal Property Tax which has not been increased in many years. This tax would generate revenue from everyone who owns an automobile, not put the tax burden on Real Estate Owners. Even though this reimbursement was frozen by the State, you can raise this tax rate.

Mr. Abbitt is also concerned about the E-911 center. He believes this facility will cost us about \$700,000. The E-911 tax brings in about \$270,000 per year, leaving the Board \$430,000 to make up. You need to look at working with the Sheriff's Department and see if they would take the running of the 911 system. The dispatchers would be paid by the State and this would result in a major savings.

Mr. Abbitt asks the Board to look at where they are going with this tax increase as he feels it sends a wrong message to industries and businesses that would possibly locate in Appomattox. He hopes the Board will take a strong look at what has been presented on the Landfill and E-911.

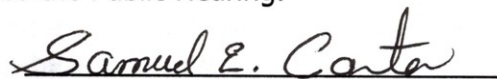
Bill A. Burke also expressed his thanks to the Board for what they do and he knows it is a thankless job. He is here tonight to speak about the proposed tax increase. He is here as a business man, a commercial property owner, a farm land owner and also a residential property owner. He is asking that you take a hard look at a personal property tax increase as the same people are taxed year after year on the real estate taxes. People in rental property, do not own any real estate, but use our schools and

facilities and they drive the finest automobiles, Tahoe's, Suburban's, etc. This is lost income that is available to the county. He also agrees with what Mr. Abbitt has said and hopefully something can be done.

Amy Martin speaks as a member of the School Board. She too knows the Board has a thankless job. She also realizes that the decisions you make are not easily made. Last year we made an upward trend for the first time in eight years because the Board funded the School Division more than minimally. It saddens her to see a downward spiral again. In a special meeting between the Supervisors and the School Board held on August 19, 2002, the minutes reflect that during this meeting, as in previous meetings, both Boards came to a consensus that contributions to the health insurance be equal for the School Board. For the FY2005-2006 this will not be possible. The School Board will be maintaining the same contributory amount used in the FY2004-2005 Budget. To fund employees health insurance as we have in the past several years would require an additional \$127,000. This amount is based on an estimated 12.3 percent increase in health insurance. Therefore, this increase will have to be paid by the employee. Currently we are working with HRH and Anthem to see if we can re-structure coverage to reduce costs. This could result in higher deductibles or different plans which could impact the \$127,000 previously mentioned. She passed out an information packet about the drastic cuts that have been made to the School Board budget. All salary adjustments to employee's salary scales have been removed with the exception of teachers. The teachers scale has been increase by \$200,000 giving these teachers an average 2% increase. Buses and substitute bus driver positions have been removed. For the coming school year you will be funding the School Division \$2.8% less than the 2004 school year. She is respectfully requesting that the Board show their commitment to the education of our students by revisiting the amount coming to the School Division. She closed by thanking the Board for their time and their service to the County.

Mr. Carter asked if anyone else wished to address the Budget.

Hearing none, at 6:15 p.m. Mr. Carter closed the Public Hearing.


Samuel E. Carter

On Monday, May 16, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA. 24522

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter stated the first item on the agenda was **Setting of the Agenda:**

Item 29 - A closed session was added – Legal Matter

Mr. Carter next called for the **Citizen's Public Comments Session:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Mr. Carter asked if anyone wished to speak at this time. Having no one to speak Mr. Carter moved on to the **ADMINISTRATIVE ITEMS:** (Items 1 – 6)

- 1. Appomattox River Bridge:** The Department of Historic Resources has received a completed nomination to consider the Appomattox River Bridge for the National Register of Historic Places and for inclusion in the Virginia Landmarks Register. Marc Christian Wagner, Register Program Manager is asking that you review and comment on the enclosed nomination.

Mr. Carter stated this was a very nice surprise. He asked for comments from the members.

Mr. Conrad stated that in reading this information, he feels this is a very interesting situation and we should take pride in the fact that we do have a bridge in the County to be designated as such.

By consensus the Board agreed to give favorable comments for the placing of the Appomattox River Bridge to be nominated for placement on the National Register of Historic places and inclusion in the Virginia Landmarks Register.

- 2. Appomattox County Animal Pound Change Order #2:** Dominion Seven Architects has submitted a change order for the Animal Pound for the drain system that was discussed at a previous meeting.

Mr. Craft made a motion, seconded by Mr. Moore, to approve Change Order #2 for the Appomattox County Animal Pound. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. Policy Implementation for Waste Separation at the Landfill:** Ms. Rockefeller is requesting that the Board adopt a policy for waste separation at the landfill. The reason for this policy is in order to attempt to meet the recycling mandates that have been established by the State.

Ms. Ferguson stated the landfill has been following this procedure, but no formal policy was in place.

Mr. Moore made a motion, seconded by Mr. Armbrust, to adopt the following Policy for Waste Separation at the landfill:

*Appomattox County Landfill
Waste Separation Requirements*

All waste is required to be separated into the following categories in order to facilitate disposal. Waste will not be accepted for disposal that is not separated. Anyone, citizens or businesses utilizing dump trucks or trailers will be required to dump their loads, separate the contents of the load and dispose of the waste in the proper locations.

The following items may be mixed together:

*Bags of household waste
Clothing
Floor coverings
Furniture
Glass
Household Items
Insulation
Miscellaneous items not considered recycle
Painted wood
Paneling
Plastic
Pressed Wood
Sheetrock
Shingles*

Recycle items should be separated into the following categories:

*Aluminum
Cardboard
Mixed metals, including air conditioners, appliances, lawnmowers, etc.
Mixed paper
Pallets
Rubble including brick, cinder blocks, concrete
Tires
Wood, including unpainted wood and brush/yard waste*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Amherst-Appomattox-Nelson Regional Jail:** Preliminary Capital Estimates and projected operational expenses per diem for the proposed regional jail project have been received. These documents were prepared by Roland Kooch with Davenport and Company and Chris Webb and Elton Blackstock with the Blue Ridge Regional Jail Authority.

Ms. Ferguson informed the Board that she has received a letter from Nelson County and they have opted out of this group. They are already a part of the Albemarle County

group. She and Mr. David of Amherst County will continue working on this project and she will pass along new information as it becomes available.

Mr. Conrad commented that we need to find another locality to become involved in this as our percentage on this project has increased.

- 5. Lease with Carver-Price Alumni Association:** We have received a letter from Mark Peake concerning the proposed lease agreement with the Carver-Price Alumni Association. Mr. Overstreet is scheduling a meeting at the request of Mr. Peake.

Mr. Overstreet stated that the Carver-Price group has decided to go ahead and sign the contract. They are still in need of additional space, but are willing to sign the contract. They have some other issues of discussion as stated in their letter. A meeting has been scheduled for the 27th of May. Additional information should be available for the next Board meeting.

- 6. Contract for Preliminary Design Work for the old Elementary School:** The interviews have been completed and a recommendation made for the architectural services for the proposed Workforce Development Center. Prior to awarding the contract we have to meet with CDBG for a facilitated management meeting. In order to move the process along we are asking that the Board give the County Administrator the authority to enter into this contract after the requirements set forth by CDBC have been met.

Mr. Conrad stated that the group selected to do this work has had prior experience on old school buildings that have been used for museums, and based on the interview, that their experience would be advantageous to the process.

Mr. Conrad made a motion, seconded by Mr. Craft, to give the County Administrator the authority to enter into a contract for the architectural services for the Workforce Development Center at the appropriate time. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for the **CONSENT AGENDA:** (Items 7-20)

- 7. Approval of Minutes:** Please approve minutes for the Recessed Meeting on April 25, 2005; Budget Work Session of April 28, 2005; and Regular Meeting on May 2, 2005.

- 8. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 9. County Administrator:** Please appropriate by consent a supplemental appropriation in the amount of \$6,343.08 to 1101-2006 for reimbursement from retirees.

10. **Electoral Board:** Please appropriate by consent a supplemental appropriation in the amount of \$267.61 to 1301-7001 HAVA. Registrar will request reimbursement from Federal Government.
11. **Court Service Unit:** Please appropriate by consent a supplemental appropriation in the amount of \$62,188.46 to 2109-3009 for Juvenile services provided by City of Lynchburg.
12. **Courthouse Project:** Please appropriate by consent a supplemental appropriation in the amount of \$9,491.06 to 5309-7009 Professional Services.
13. **Comprehensive Services Act:** Please appropriate by consent a supplemental appropriation in the amount of \$45,307.08 to 5310-3001 Professional Services.
14. **Capitol Project (BOND):** Please appropriate by consent \$17,688.50 to pay for the second draw on the animal pound. These funds will be transferred from the bond.
15. **Office of Building and Housing:** Please supplement and appropriate by consent \$58.00 to the books line item in the Building Official's budget for a reimbursement received for a book ordered for an individual.
16. **Library:** Please supplement and appropriate by consent \$1,253.70 to various line items in the Library budget for fines, book replacement fees, donations and book sales received by the Library.

FUND TRANSFER:

17. **E-911:** Please transfer and appropriate by consent a supplemental appropriation in the amount of \$26,904.60 from the 911 Fund to General Operating Fund.
18. **Sports Complex Fund:** Please transfer and appropriate by consent a supplemental appropriation in the amount of \$17,396.76 to 7101-3002 Special Park Account.

LINE ITEM TRANSFERS:

19. **County Administrator:** Please transfer \$9,612.00 from 1101-3002 (Professional Services) to the following:
 - 1204-3002 Professional Services in the amount of \$5,000.00
 - 5309-3002 Professional Services in the amount of \$325.00
 - 1201-5203 Telephones in the amount of \$4,287.00
 20. **Landfill:** Please transfer by consent \$10,000.00 from the Landfill Disposal Budget to the Landfill Collection Budget to cover additional expense due to the increase in gas prices.
- Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented: ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 21 – 28)

21. **Appomattox County Landfill Inspections:** Latest inspection report for the Landfill and the baler facility has been received.
22. **Appomattox County Public Schools:** Monthly financial report for the Month of April, 2005 for the school system.
23. **Robert E. Lee Soil & Water Conservation District:** Minutes of the Board of Directors Meeting held on March 24, 2005.
24. **Region 2000 Regional Commission – Goals for 2005:** Copy of Region 2000' goals for 2005 as of April 29, 2005.
25. **Appomattox Town Council Agenda:** Agenda for the Appomattox Town Council meeting held on May 9, 2005
26. **Appomattox County Parks, Recreation & Tourism Department:** Monthly report for May 2005 from Ms. Dixon.
27. **Biosolids Land Application:** Notice has been received of four (4) new locations for the land application of biosolids.

Mr. Armbrust had a question regarding the School Expenditures. He would like to have information regarding funds left over from FY2005 Budget.

Mr. Craft asked if the time element had been changed for the notification of adjacent property owners of the spreading of biosolids.

Mr. Carter stated he found Ms. Dixon's report to be very interesting in regards to the brochures being distributed throughout the Commonwealth especially along the interstates. This should be very beneficial to the County's tourism business.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Armbrust stated he would like for the County Administrator to talk with Monte Mays regarding what amount of revenue can be generated from the raising of the personal property tax.

Mr. Carter stated that from the Public Hearing for the Budget the question was raised about Allied/BFI Disposal Group. He would like to have the County Administrator to investigate this and possibly set up a meeting to receive more information on this matter.

At 6:50 p.m. Mr. Carter called for a ten (10) minute recess prior to beginning the Public Hearing scheduled for 7:00 p.m.

At 7:09 p.m. Mr. Carter reconvened the Board of Supervisor's regular session.

Mr. Carter stated that the Board needed to enter into a Closed Session under §2.2-3711 A7, of the Code of Virginia, to discuss specific legal matters requiring the provision of legal advice of the County Attorney regarding the awarding of the Lawn Care Service Bid at the last Board Meeting. A protest has been lodged.

Mr. Craft made a motion, seconded by Mr. Armbrust, to enter into a closed session per §2.2-3711 A7, of the Code of Virginia, to discuss a legal matter. VOTE: Mr. Armbrust,

aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 7:51 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to return to regular session. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then read the following certifying statement:

WHEREAS, *this Board convened in a closed meeting under §2.2 – 3711 A.7 – of the Code of Virginia, for the purpose of a legal advice.*

AND WHEREAS, *no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.*

NOW BE IT CERTIFIED, *that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:*

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter asked Mr. Overstreet to present what was discussed in the Closed Meeting. He read the following Memorandum of Information to the Board.

"At its meeting on May 2, 2005, the Board awarded a contract for mowing, mulching, weeding and general yard work around certain county buildings to Larry Ferguson, the apparent low bidder.

On May 6, 2005, the county received a protest of this award from another bidder.

Upon review of the Invitation to Bid, in particular the "Lawn Care Scope of Work", we feel that the protest has merit. The written proposal calls for four discrete activities to be provided on an "as-needed" basis. As an unintended consequence, the low bidder may be different depending upon the "need" for any of the activities.

Once the bids were received, the Board awarded the contract based upon estimate of the frequency of providing those services. Because we do not know how often any of these activities will be "needed" it is not possible to select in a fair and impartial manner the low bid.

Because of this, we recommend that the Board reject all of the bids pursuant to Section 2.2-4319 of the Code of Virginia and void the awarding the contract to Larry Ferguson pursuant to Section 2.2-4360 of the Code of Virginia."

Mr. Overstreet advised the Board to follow this recommendation.

Mr. Overstreet further stated that once a contract has been awarded and then is voided after the protest, the successful bidder is entitled to reimbursement for performance up to the date of today's meeting. The bidder can then ask for reimbursement of any

expenses for materials and service incurred prior to the voiding of this award as of this date.

Mr. Carter made a motion, seconded by Mr. Conrad, to reject all the bids and void the awarding of the contract for Lawn Care Services to Larry Ferguson. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Conrad stated that he would like to indicate that there were some mistakes made but certainly we bear the responsibility.

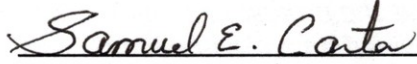
Mr. Craft agreed with Mr. Conrad.

Mr. Carter reminded the other Board Members of upcoming meetings.

**May 23, 2005
6:30 p.m.
Joint Meeting with the Town of Appomattox
Town Council Chambers**

**June 6, 2005
6:30 p.m.
Regular Board Meeting
Town Council Chambers**

At 7:55 p.m., Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, May 16, 2005 the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox Town Council held a public hearing at 7:00 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
William H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Appomattox Planning Commission)

Jerry Hughes
 Bryan Baines
 Al Sears
 Shannon Dews
 Barry Morris
 Calvin Tanner
 Robert Johnson
 Marvin Mitchell

ABSENT: (Appomattox Planning Commission)

Steve Conner
 Kevin O'Brien

PRESENT: (Appomattox Town Council)

John Wilson
 Norman (Jimmy) Mayberry
 Joyce Bennett
 Marvin Mitchell
 Steve Lawson

ABSENT: (Appomattox Town Council)

Lewis McDearmon
 Mayor Ronnie Spiggle

At 7:00 Mr. Carter opened the Public Hearing and made the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission, The Appomattox Town Council and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting immediately following the Public Hearing in the upper level of the County Administration Building, (old J & D. Courtroom).. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Spencer.

Mr. Spencer stated there were two (2) petitions to be heard. One from the Town of Appomattox and one from Appomattox County.

Mr. Spencer read the first petition:

#05-323 – Richard Purcell, Sr. – Zoning Application for Conditional Use Permit, Tax Map #64A6(A) 2B. The property is situated on the South side of Route 460 east on Autumn Lane. Autumn Lane is located behind Stop In Convenience Store on 460

Business. The Purcell property is located on the right side of Autumn Lane at the end of the black top street.

Mr. Spencer asked if anyone wished to speak in favor or opposition of this petition. Having no one to speak, Mr. Spencer read the next petition.

#05-554 – Grace Hills Baptist Church Trustees – The applicants are requesting to rezone 7.57 acres located on Route 691 between Lee-Grant Avenue and Route 719 from Residential District R-1 and Conditional General Residential District R-2 to General Residential District R-2 in order to construct a church. The subject property is identified as Tax Map Numbers 63(A)42, 64(A)161 and 64(A)162.

Mr. Spencer asked if anyone wished to speak for this petition.

Mr. Bill Jamerson, P. O. Box 92, Appomattox, VA. – There has been a misconception on his part regarding this property. They have been planning to build a church for some time and he had assumed that this was allowed. However, he recently learned that they would need a conditional use permit to construct a church on this site. In questioning, he found out that R-2 and A-1 permits churches by right. He is requesting this property be rezoned to R-2 so that if they decide in the future to build an addition, they will not have to submit another petition. A small portion of this property is already zoned R-2.

Mr. Spencer called for additional comments regarding this petition.

Hearing none, he turned the meeting back to Mr. Carter.

At 7:04 p.m. Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Monday, May 23, 2005 the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at the Appomattox Town Office located on Linden Street, Appomattox, Va. The purpose of this joint meeting was to allow the members of these two local governing bodies to jointly discuss any related questions or concerns regarding the possible development of the alternative water sources presented by the Regional Commission for the Appomattox area.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Town Council)

Mayor Ronnie Spiggle
Norman (Jimmy) Mayberry
Lewis McDearmon
John Wilson
Steve Lawson
Joyce Bennett

ABSENT: (Town Council)

Marvin Mitchell

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
David T. Garrett – Town Manager
Roxanne Mundy – Town Clerk
Frank Wright – Town Attorney
Gary Christie – Region 2000 Regional Commission
Jeff Rogers – Region 2000 Regional Commission
Jeff Elder – Town Employee

At 6:30 p.m. Mr. Carter called the meeting to order and Mr. Spiggle called the Town Council to order.

Mr. Spiggle stated that from the standpoint of Town Council, having heard all of the information available, the question is "Where do we go from here?" Mr. Spiggle explained that Mr. Christie and Mr. Rogers were present to answer any questions that may arise. This is not a public hearing, but a meeting to receive comments from everyone. Also, he would ask that everyone limit their remarks to three to five minutes per person if this is agreeable with everyone present.

Mr. Carter commented that this has been on the table for a number of months and finally things have started working in a positive manner. Mr. Carter is more in favor of Alternative 2B.

Mr. Conrad stated that he has, over the years, watched this County grow. In looking around the state anywhere, the one thing you see, is where a county has public water it enhances everything. When businesses consider locating in a county, one of the first things they ask, is "Do you have a public water supply?" If not, they seem to lose interest quickly. In looking at the alternatives, he feels Alternative 2B as being best suited for our needs along with the development of a Public Service Authority.

Mr. Armbrust stated if we are going to expand our businesses in the County, we will need a water supply. In looking at all the options, 2B, 3, 4 & 5, we cannot afford. But with the situation we have and the information available, the 2B – Concord Water Line is best suited for Appomattox.

Mr. Craft stated the citizens of Appomattox cannot afford to pay for a reservoir. The waterline to Concord is our only option. He is in favor of Alternative 2B.

Mr. Moore feels the County needs to grow. The waterline is the future of the County. We need infrastructure and industry – if not the County will die. The waterline is necessary to our future. He is inclined to go with Alternative 2B.

Mr. Carter stated that from everything he has heard so far, the Board of Supervisors is in favor of moving forward and endorsing the Alternative 2B.

There was some discussion regarding the differences between Alternatives 2A and 2B.

Ms. Bennett, Mr. Mayberry and Mr. McDearmon of the Town Council made favorable comments for Alternative 2B. Also comments on the establishment of a PSA and who would be setting the water rates.

Mr. Wilson stated he had studied the three water studies and feels the population was over estimated in each. He is troubled by several things: control of system being given away, being one. Also, there is no documentation regarding the availability of underground water for drilling new wells. He is in favor of keeping the system as it is, expand if necessary. Don't give up water control. He does not feel there is any demands on the current water system by the development of the Industrial Park. Only a few landowners along the Route 460 corridor will benefit from the waterline. He urges Council and the Board to continue with the use of wells and to proceed with the reservoir system.

Steve Lawson stated everyone has said a lot of things already. He does not feel Appomattox is ready for 2A or 2B. His question is how can we pay for the system. He is not prepared to choose an option at this time.

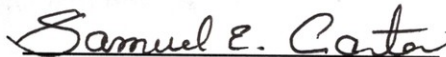
Mr. Elder proceeded to clarify the questions and concerns that have been raised tonight.

Mr. Spiggle asked if the window of opportunity that now exists would close if we do not chose either of these alternatives at the present time. He also asked for some type of monetary figure to give the general public some idea of the cost of such a project and what kind of time frame would this information be available.

A public comment session was scheduled for July 14, 2005 at 7:00 p.m. at the Appomattox Community Center. At this time, it would be decided if a Public Hearing would be necessary.

Mr. Wilson made some comments regarding getting some of this information to the taxpayers in order for them to make a logical decision before a final decision is made on this waterline.

At 7:18 p.m. motion was made to adjourn the Joint Meeting with Town Council.


Samuel E. Carter – Chairman

On Monday, May 23, 2005 the Appomattox County Board of Supervisors held a Special Called Meeting at 7:30 p.m. at the Council Chamber of the Appomattox Town Office located on Linden Street, Appomattox.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator

At 7:30 p.m. Mr. Carter called the meeting to order.

Ms. Ferguson stated that this was a Special Meeting called by Mr. Carter in order to adopt the FY2006 Budget. Ms. Ferguson reviewed several items that were discussed at the Budget Public Hearing on May 16, 2005.

1. There had been some discussion regarding the E-911 Center as to whether the Sheriff's Department could be used to man the center. After talking with Sheriff Staples it was decided that they do not have dispatch staff as some other localities have. At the time the Compensation Board was staffing dispatch positions, we were not able to get any of these positions. Most of these positions were given to localities that were a part of a regional jail authority.
2. The question had also been raised about saving some money at the landfill by transferring our trash out of the County using a private hauler. She has done some research and we cannot just accept a proposal from any one private hauler. If the County is considering this situation, we would have to put this out on bid. A proposal would have to go out and bids accepted in a formal manner and everyone would be given the opportunity to place bids. We can, however, have anyone interested, come to a regular board meeting and present their offer

in a public setting if this is what the Board would like to do. We, cannot, have any type of negotiation meetings.

By consensus, the Board requested Mrs. Ferguson to contact Allied Waste and invite them to a future board meeting to discuss their offer of transferring solid waste for the County. It was also suggested that she invite Delegate Watkins Abbitt.

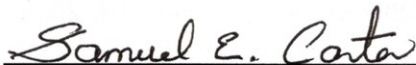
3. Also the question was raised regarding increasing the Personal Property Tax rate as opposed to the Real Estate Tax rate. She researched this and found our effective rate is \$1.75 per hundred and the rate we show is \$3.50 per hundred. This is based on the assessment value. It is also too late in the year to raise the Personal Property Taxes as this would have to be advertised for two weeks before having a public hearing, etc. In order to generate the same amount of revenue from Personal Property taxes as we are from the six cents (\$0.06) increase in Real Estate taxes, the increase would have to be \$1.00 per hundred.

Also, we have to adopt a balanced budget, so we have to increase the Real Estate Taxes to \$0.72 per hundred of assessed value for the FY2006 Budget.

After some discussion, Mr. Moore made a motion, seconded by Mr. Conrad, to increase the Real Estate Taxes to \$0.72 per hundred of assessed value. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Moore, made a motion, seconded by Mr. Conrad, to adopt the FY2006 budget for \$29,035,808.00. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:05 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter
 Samuel E. Carter, Chairman

On Monday, June 6, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District

Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order, welcomed everyone present and asked Mr. Craft to deliver the invocation, followed by the pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

6A – Appomattox Historical Society – Request from Wayne Phelps.

Moved from Personal Appearances to Administrative Items.

Mr. Carter next called for **Citizen Public Comment Period.** There were no requests to speak at this time.

Mr. Carter then moved to the **ADMINISTRATIVE ITEMS:** (Items 1-6A)

- 1. Zoning Petitions:** The Planning Commission has submitted its recommendations from the Public Hearing and Planning Commission meeting held on May 16, 2005.

Petition #05-554 – Grace Hills Baptist Church Trustees: The applicants are requesting to rezone 7.57 acres located on Route 691 between Lee-Grant Avenue and Route 719 from Residential District R-1 and Conditional General Residential District R-2 to General Residential District R-2 in order to construct a church. Property is identified as Tax Map Numbers 63(A)42, 64(A)161 and 64(A)162.

The Planning Commission has recommended this petition be approved.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Moore, to approve Petition #05-554 – Grace Hills Baptist Church Trustees to rezone 7.57 acres located on Route 691 between Lee-Grant Avenue and Route 719 from Residential District R-1 and Conditional General Residential District R-2 to General Residential District 2 in order to construct a church. Property is identified as Tax Map Numbers 63(A)42, 64(A)161 and 64(A)162, as submitted. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 2. Contract Award for Appomattox County Emergency Response Call Center:** Bids were received and opened for the renovation necessary on the old Clerk's Office for adapting the space to house the E911 Center.

Wiley and Wilson recommends awarding the bid to the low bidder, J. E. Jamerson & Sons, inc. at a contract price of \$439,000.00

Mr. Conrad made a motion, seconded by Mr. Craft, to award the contract to J. E. Jamerson & Sons, Inc. at a contract price of \$439,000.00; accept a letter of credit and

authorize the County Administrator to sign contract documents if approved by the County Attorney. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. Change Order for Appomattox Animal Pound:** At the last progress meeting on the Animal Pound construction, the architect explained that due to lead time involved with receiving the mechanical system, it would be necessary to install a double hung door at the entrance to the mechanical room. Also, upon consideration it was determined that a wall could be removed in the attic which would result in a deduct. Overall, there will be a net increase of \$663.94.

The architect has recommended accepting this change order as a double hung door would be more beneficial in the future.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Change Order for the installation of a double hung door at the mechanical room at the Appomattox Animal Pound with a net increase cost of \$663.94. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Permit Application for Musical or Entertainment Festival:** Larry & Sterry Davis of Stonewall Vineyards are requesting approval to hold two (2) Summer Coolers, on June 11, 2005 and July 16, 2005. They are also requesting the bond requirements be waived.

Since there have been on problems associated with these annual events in the past, Mr. Craft made a motion, seconded by Mr. Armbrust, to approve Stonewall Vineyards request to hold two (2) Musical and/or Entertainment Festivals, one (1) on June 11, 2005 and another on July 16, 2005 and also to waive the bond requirements. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

5. Appointments to Boards or Committees:

- a. J. Robert Jamerson Memorial Library Board:** Barry S. Morris, Library Director has informed the Board that two (2) Library Board member's term expire at the end of June and neither has expressed an interest in continuing in these positions. Requests that appointments be made by the end of June if possible.

Mr. Conrad and Mr. Craft are in the process of seeking someone to fill these two positions.

- b. Workforce Investment Board:** Appomattox County will need to make an appointment to the Workforce Investment Board by July 1, 2005. This appointment needs to come from a business and it will be a two (2) year term.

There were no names submitted at this time.

6. **National Historical Park Workshop:** A workshop was sponsored by the Park Service on May 18th and 19th. It was a very informative program and made us aware of the areas we need to work on for the betterment of our community. It seems that the CEDS Committee is the perfect avenue to get the process moving towards building a better community.

Ms. Ferguson informed the Board that several members of the CEDS Committee terms have expired and maybe a sub-committee could be formed to look into these concerns.

- 6A. **Wayne Phelps, Appomattox Historical Society:** Mr. Phelps has informed the Board that Red Oak Baptist Church would like to donate light fixtures that were removed from the church for use in the old Courthouse when the renovations are made to this building.

It was suggested that this item be tabled and re-visited at a later date.

Also, Ms. Ferguson toured the museum with Mr. Phelps and he explained some work the Historical Society would like to have done. Most of the work involved painting existing areas. The flooring upstairs is sagging and the ceiling in one room needs to be raised. They would also like to install some additional wiring in one room and use the space as an office. There are still some Circuit Court records stored in this area and would have to be moved to another location.

Since anyone working on the building would have to be covered by Workman's compensation, any electrical or structural work would require permits from the building department and meet current building codes, it was suggested that this work should be performed by a certified contractor. The Board would like for this to be placed out on bids and have Ms. Ferguson check on the insurance.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 7 – 19)

7. **Approval of Minutes:** Please approve minutes of Budget Work Session on 5-5-05; Budget Public Hearing on 5-16-05; Regular Meeting on 5-16-05 and Zoning Public Hearing on 5-16-05.
8. **Approval of Bills:** Please approve bills as presented for payment.

FUND TRANSFERS:

9. **E-911 Fund:** Please transfer and appropriate by consent the amount of \$15,663.13 to cover expenses incurred with the E-911 program.
10. **Revenue Maximization Fund:** Please transfer and appropriate by consent \$2,585.00 from the Revenue Maximization Fund to pay bills for the month of May 2005.
11. **Community Park Fund:** Please transfer and appropriate by consent \$11,818.65 to pay Pearson for contract work completed at the Community Park.

BONDS FUNDS:

- 12. Animal Pound:** Please appropriate by consent a supplemental appropriation in the amount of \$47,662.97 to pay J. Harman Saunders for work done on the Animal Pound.
- 13. E-911 Center:** Please appropriate by consent a supplemental appropriation in the amount of \$19,425.57 to pay Wiley and Wilson for professional services provided in connection with the E-911 Center.

SUPPLEMENTAL APPROPRIATIONS:

- 14. Electoral Board/General Registrar:** Please appropriate by consent and supplement \$2,124.48 to the Electoral Board's budget to cover bills for May 2005. This money will be reimbursed to the County by the Federal Government.
- 15. Circuit Court Clerk:** Please appropriate by consent and supplement \$5,560.00 to the Circuit Court Clerk's budget to pay for technology. These funds will be reimbursed to the County by the State.
- 16. Court Services Unit:** Please appropriate by consent \$1,396.76 to the Court Services Unit's budget to cover detention home expenses.
- 17. Sheriff's Department:** Please appropriate by consent and supplement \$20,971.20 to the Sheriff's budget to pay for a new car to replace one totaled in accident. \$14,550.50 will be reimbursed by insurance company.
- 18. Road Viewers:** Please approve by consent and supplement \$25,000.00 to the Road Viewers budget to cover a contribution on the stop light at the shopping center made by Covington Company. This is pass through money.
- 19. Comprehensive Services Act:** Please appropriate by consent and supplement \$21,937.01 to CSA budget to cover bills for the month of May 2005. All but approximately 27% of this will be reimbursed to the County.

Mr. Conrad made a motion, seconded by Mr. Craft to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:**

- 20. Animal Pound Inspection:** Latest inspection of the present animal pound.
- 21. VACo's 2006 Legislative Program:** Any specific issues to be addressed by VACo during the 2006 Legislative session need to be submitted to Ms. Ferguson for transmittal to Jim Campbell.

Mr. Conrad comments that we are concerned about Federal and State unfunded mandates that end up costing the localities with no concern as to how these funds can be obtained.

- 22. Verizon Communications Inc. and MCI, INC. Merger:** Order for Notice and Comment concerning a proposed merger with Verizon and MCI has been received.

At 7:00 p.m. Mr. Carter asked **Mr. Barry Elder, Director, Department of Social Services** to address the Board.

Mr. Elder stated his main objective was to introduce himself to those members who are not familiar with him in his role as the new Director of Social Services. He became Director, as of February 1, 2005 and he is very proud to be serving the County in this capacity.

Mr. Elder gave a brief summary of what the Department of Social Services does and the types of services that are available to county residents through his programs. He will be glad to meet with you whenever you have any questions or concerns.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad made some comments on working with Allied Waste/BFI in regards to the transferring of our solid waste. Ms. Rockefeller is putting some figures together to present to the Board as to the cost of operating the landfill. He would like to have Ms. Rockefeller meet with the Board in order to get a clearer picture of what the costs are in taking care of our solid waste.

He also discussed the Animal Pound and the Regional Jail concept. Since Nelson County has dropped out of the picture, our options have drastically changed. He would like to have Watkins Abbitt work with us on obtaining some assistance in this matter.

Mr. Armbrust commented that we have a lot of Federal mandated things and we need to ask Mr. Abbitt for any assistance he can give us.

Also, we have been talking about the Lynchburg Water Line for months. He needs some help in understanding this water line. He has been asked by a gentlemen who owns 69 acres on the Appomattox By-pass and wanted to have water run from the town, for which he was willing to pay all the expenses. He wanted to construct a Horse and Bull Riding Rink, which would also be available for flea markets, etc., and/or a ten (10) house, housing development in the \$295,000 range. Some of the comments from Town Council was, everyone needs water. He needs someone to explain to him why, if the Town needs water to grow, they "shide" away from a prospective revenue source as this. He feels the Town needs to move forward and show some efforts before he would even consider voting on the prospective water line. The townspeople cannot pay for this water line alone, so why turn down an offer such as this one.

Mr. Craft also commented on the animal pound. There are a lot of questions regarding why we are spending so much money on this project. He feels we need some type of publicity to get the word to the general public. He is also getting a lot of feedback regarding the elimination of the County Decal.

Mr. Moore stated he has received some comments on the tax increase. He feels the Board has not done anything that was not necessary to be done or which had not been mandated to be done.

Mr. Carter stated he had been approached by Ms. Delores Kerr concerning a Youth Center for the county. We have approached this in the past. Ms. Kerr is asking that the Board and the Town Council look into some programs for the youth at night and on weekends. Ms. Kerr has some petitions on this subject. He suggested that she submit her concerns in writing to the Director of Recreation and Tourism for further study and research.

Mr. Carter stated he felt some very good and informative remarks had been made during the Supervisor Concerns.

There was one other personal appearance scheduled for tonight's meeting. The individual had not arrived as yet.

At 7:19 p.m. Mr. Carter called for a short recess.

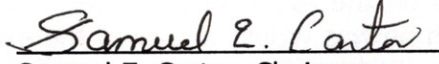
Mr. Carter reminded everyone of **UPCOMING MEETINGS:**

Regular Meeting
June 20, 2005
6:30 p.m.
Town Council Chambers

Ms. Ferguson stated that the meeting with Town Council schedule for June 13, 2005 has been cancelled.

Mr. Overstreet stated that the new tourism signs were very attractive.

At 7:25 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes).


Samuel E. Carter, Chairman

On Monday, June 20, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator

John G. Overstreet – County Attorney

John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and welcomed those present. Mr. Carter then gave the invocation and invited everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

Add: **10C – HUD Grant**

Mr. Carter next called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

There were no comments to be heard at this time.

Mr. Carter next called **Ms. Alice Rockefeller, Landfill Supervisor**, to address the Board to provide information concerning the landfill operation and answer any questions that the Board may have.

Ms. Rockefeller stated that the first thing she wished to discuss was the transfer of solid waste to Campbell County. Things are going very well, after a rocky start getting organized. She has reorganized the way in which they are getting this done. She has utilized her present workers and has not needed any additional help. Her employees are doing an excellent job. Presently, they are baling all of the waste that had previously been baled. Everything that was being taken to the pit is now loaded onto one of the roll-offs and driven to Campbell County. She does not anticipate any problems with continuing to do this until we finish our Part "B" permit.

We have submitted our Part "B" permit to DEQ and they have done a completeness review and have made some comments which we are presently working on. We have until July 18, 2005 to get the comments back to them. When we finish our completeness review then we have to start on the Technical review. This review will take approximately 12 months. DEQ understands our situation and they are putting forth every effort to get this done as quickly as possible.

Ms. Ferguson injected at this point that before Ms. Rockefeller provides you with her information, that there are a few costs that are undetermined at this time and they are not in this report. First, there is the issue of sludge from the Town sewerage treatment facilities and things of that nature, recycling issues, school trash issues and other things that there is no way to put into the figures that have been worked up. Ms. Rockefeller has provided a handout of the costs she has been able to come up with. She will explain these to you.

Ms. Rockefeller continued to explain that in doing a comparison of the current costs as opposed to the transfer costs, she had to use two (2) different tonnages. In the year 2004-2005, 12,000 tons came across the scales, 2,000 tons of that were charge for and revenue was received. If we take our waste to a transfer station or anywhere else, we would only be responsible to pay for 10,000 tons of that. The remaining 2,000 tons came from businesses that would have to take their trash directly to wherever they choose to take their waste. Therefore, on the Cost of Operations currently are figured on 12,000 tons because that is what the landfill handled and took care of. On the Transfer figures she used the 10,000 ton figures because this is what we would be taking to the transfer station. As you can see, the total cost for landfill operation would be \$806,000 which amounts to about \$66.92 per ton. The total cost of using a Transfer Station would be \$659,000 which amounts to about \$65.98 per ton.

Ms. Rockefeller also stated that even with using the facilities of a transfer station, there would still be cost involved with our current landfill as there would still be engineering services and costs involved in testing and maintaining the landfill after closing. Ms. Rockefeller reminded the Board that her figures were all on the conservative side and costs for operating our landfill could depend on how fast the "cell" was filled and also the cost of transferring will more than likely increase from those figures used today.

After some discussion, Mr. Carter thanked Ms. Rockefeller for her report.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS** (Items 1 – 10)

1. **Request to take Subdivision Street into State System:** A request has been made that Turkey Road, Route 1052, be taken into the State Secondary Road System. This street has been constructed by the sub-divider as a Class "A" sub-division street.

After some discussion, Mr. Craft made a motion, seconded by Mr. Conrad, the Board adopt the following resolution, accepting Turkey Road into the State Secondary Road System:

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form SR-5(A) to the Appomattox County Secondary Road System for maintenance. The following subdivision road which has been constructed by the subdivider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, of the Code of Virginia, 1952, and the Virginia Department of Transportation's Subdivision Street Requirements, 2005, TO WIT:

Walton Place Subdivision, Section IV

Turkey Road, Route 1052 – Beginning at a point on Route 691, 0.66 miles west of Route 719, extending 0.20 miles west to cul-de-sac.

Total Length – 0.20 mile

Right of Way – 50 Feet

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum unrestricted fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements on adjoining properties.

Recorded in Deed Book 130, Page 89 and Deed Book 244, Page 209, on June 12, 2000, in the Appomattox County Clerk's Office.

VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes, 1 absent)

2. **E-911 Communications Center Change Order:** Change Order in the amount of \$986.70 has been received for the E-911 Communications Center for the installing of new duct work. When the contractor began work, it was determined that the existing duct work was in need of replacing and new galvanized steel duct work should be installed.

Mr. Moore had questions regarding exactly what the problem was with the present duct work. After an explanation by Mr. Wingfield, Mr. Conrad made a motion, seconded by Mr. Craft, to approve the change order in the amount of \$986.70 for replacing the duct work in the E-911 Communications Center. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter called for a short recess before the Public Hearing scheduled for 7:00 p.m.

At 7:14 p.m. Mr. Cater reconvened the Board Meeting and continued with the **Administrative Items.**

3. **Retiree Health Insurance Policy Change:** The School System has been working on a change in the Health Insurance Policy for Early Retiree's. Due to the fact that we are on a joint health insurance plan, we need to be consistent with how we treat our retiree's.

After some discussion, Mr. Craft made a motion, seconded by Mr. Moore to approve the following enrollment requirements for the Appomattox County Early Retiree Health Insurance program:

Retiree Health Insurance
Effective October 1, 2005

1. Must have 15 years of service with the Virginia Retirement System at the time of retirement and be at least 50 years old, unless they are an early retiree due to disability.
2. Must have health insurance coverage with the County at the time of retirement.
3. Must have been employed with Appomattox County for a minimum of 10 years.
4. Eligibility ends at age 65, Medicare eligible, or failure to

make payment, which ever occurs first.

VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent).

4. **Indoor Plumbing/Rehabilitation Program:** The Department of Housing and Community Development has written concerning an administrator for our Indoor Plumbing/Rehabilitation Program. At the present time and for a number of years Lynchburg Community Action Group has been handling this program for Appomattox County.

After some discussion regarding the fact we do not have to change the administrator for this program, Mr. Conrad made a motion, seconded by Mr. Moore to continue with the Lynchburg Community Action Group administering the Indoor Plumbing/Rehabilitation Program for Appomattox County. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

5. **Proclamation of Support for the Fourth Annual James River Sojourn:** Hadley Milliken, James River Sojourn Coordinator, has notified us of events taking place the week of June 24th through June 28th in connection with a Sojourn along the James River. The purpose of this event is to promote public awareness of the importance of the James River to our area.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the following proclamation of Support for the Fourth Annual James River Sojourn:

PROCLAMATION

Whereas, The Fourth Annual James River Sojourn, which is being conducted from June 24 through June 28, 2005, will offer paddlers throughout the region the opportunity to participate in an organized paddle of the James River from Lynchburg to James River State Park; and

Whereas, The Sojourn is designed to promote stewardship and draw attention to the health of the James, its connection to the Chesapeake Bay and its importance to the quality of life for all who live, work and recreate in the watershed; and

Whereas, The Sojourn theme for 2005, "Observing Natures Cycles," is intended to highlight the importance of community involvement in the protection and restoration of this valuable natural resource and to rediscover the beauty, ecology and opportunities the river offers for recreational and education adventure; and

Now therefore, The Appomattox County Board of Supervisors supports the goals of the Fourth Annual James River Sojourn and urges all citizens to participate in this event by offering support to those people participating on this wonderful journey;

And directs That a copy of this citation, sponsored by the Appomattox County Board of Supervisors on June 20, 2005, be transmitted to the Fourth Annual James River Sojourn.

VOTE: Mr. Conard, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes- 1 absent)

- 6. VACO's Summer Conference:** The VACO Summer Conference is being held August 12th through the 15th at the OMNI in Charlottesville. The conference focus is "Blueprint for Tomorrow".

No one was interested in attending this conference at this time.

- 7. Rivers, Trails and Conservation Assistance Program:** Mr. Spencer has provided information concerning a program that could assist the County with planning for the future.

Mr. Conrad stated he feels this program is something the County may benefit from in the future. A steering committee comprised of John Spencer, Anne Dixon, David Garrett, Reed Johnson and other interested parties will contact RTCA to scope out an application.

Mr. Conrad made a motion, seconded by Mr. Moore, to apply for a grant application in this program. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 8. Appropriation Resolution for Fiscal Year 2006:** The Appropriations Resolution for Fiscal Year 2006 needs to be approved.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the following Appropriations Resolution for Fiscal Year 2006.

APPROPRIATIONS RESOLUTION				
FISCAL YEAR 2006				
BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, hereby appropriates for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006, from the funds, for the functions, and in the amounts indicated herein:				
I. General Fund				
1101	Board of Supervisors			238,647.00
1201	County Administrator			348,702.00
1204	County Attorney			36,500.00
1206	Independent Auditor			25,000.00
1209	Commissioner of Revenue			295,234.00
1210	Assessor/Reassessor			51,300.00
1211	Board of Equalization			0.00
1213	Treasurer			224,498.00
1301	Electoral Board/Officials			34,552.00
1302	Registrar			67,820.00
2101	Circuit Court			15,625.00
2102	General District Court			2,585.00

2105	Juvenile/Domestic Relations Court			2,926.00
2106	Clerk of Circuit Court			226,184.00
2107	Sheriff(Civil Server)			64,140.00
2109	Court Services Unit			50,932.00
2130	Magistrate			1,450.00
2201	Commonwealth Attorney			245,044.00
2202	Virginia Domestic Victim Grant			50,034.00
2220	Witness Advocate Grant			21,198.00
3102	Sheriff			1,724,974.00
3103	Sheriff (Town Police)			49,000.00
3104	Sheriff/Grant			79,894.00
3106	DARE			10,212.00
3203	Volunteer Fire Departments			143,112.00
3203	Volunteer Rescue Squads			20,800.00
3204	Forestry Service			7,124.00
3301	Sheriff/Jail			316,882.00
3401	Office of Building and Housing			65,025.00
3501	Animal Control			75,546.00
3503	Medical Examiner			500
3605	Emergency Services			1,626.00
3606	E-911			453,475.00
4101	Road Viewers			35300
4203	Refuse Collection			163,481.00
4204	Refuse Disposal			836,918.00
4206	Litter Grant			7,500.00
4207	Recycling			30,213.00
4208	Tire Security			20,852.00
4302	General Properties			363,250.00
5101	Local Health Department			105,822.00
5105	Central Va Commission on Aging			5,600.00
5202	Central Va Community Services			33,958.00
5301	Social Services			3,907.00
5302	State Local Hospitalization			5,356.00
5309	Courthouse			0.00
5310	Comprehensive Services			190,000.00
6401	Central Virginia Community College			15,381.00
7101	Sports Complex Fund			100,000.00
7102	Parks & Recreation Department			182,035.00
7104	Tourism			40,000.00
7109	Contributions			17,125.00
7301	Public Library			152,360.00
8101	Planning (CVPDC)			6,943.00
8103	Debt Service			1,195,278.00
8104	Zoning			5,250.00
8105	Economic Development			36,455.00
8106	Chamber of Commerce			0.00
8111	Board of Zoning Appeals			600.00
8112	Planning Commission			8,498.00
8203	Robert E. Lee Soil and Water Conservation			10,000.00
8303	Extension Services			36,456.00

II. Capital Improvement Fund (Uncommitted)		0.00	
III. Virginia Public Assistance Fund		1,163,304.00	
IV. School Operating Fund		18,444,229.00	
School Cafeteria Fund		869,196.00	
School CIP fund		0.00	
School Special Project Funds		0.00	
BE IT FURTHER RESOLVED, that the County Treasurer be, and is hereby,			
Authorized to transfer from the General Revenue Funds pursuant to this			
Resolution, as monies become available, and from time to time to meet the			
expenditures for amounts appropriated sums equal to, but not in excess of,			
the appropriations indicated for transfer, as Transfer to Schools (Operation) and			
Transfer to Department of Social Services for the period covered by this			
Appropriation Resolution. Other inter-fund transfers shall be in accordance			
with the direction of the Board of Supervisors.			

ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye.
(4 aye votes – 1 absent)

- 9. Commonwealth Attorney's Office:** Mr. Puckett is requesting approval for the installation of two (2) additional electronic locks to be installed in his office; a cable and partial box; etc. in the amount of \$786.00

Ms. Ferguson explained that a position for an Assistant Commonwealth Attorney has been approved by the State. Also a part-time position to work with domestic violence approximately 20 hours a week has been approved. Due to the arranging of office space for these two (2) positions, these additional panic buttons are needed.

After some discussion, it was felt that funds for the Commonwealth Attorney's Office were allocated in the FY2006 Budget and additional funds are not available at this time. It was suggested that Mr. Puckett try to find the \$786.00 to cover this expense in his budget.

Ms. Ferguson explained to the Board that when the system was originally installed every time an alarm tripped, someone from the Sheriff's Dispatch Office had to go to the Courthouse and find out which alarm had been tripped and what the problem was. We felt this was unreasonable. This new alarm system has re-routed the system to the Sheriff's Office and installed three key pads as you come through the Secure Doors, and security codes will have to be punched in, so the Sheriff's Office does not have to reset the system. This is at a cost of \$2,371.00. This cost will be taken care of through the County Budget, no additional allocations are necessary.

10. Appointments to Boards or Committees:

- a. J. Robert Jamerson Memorial Library Board:** This was held over from the June 6, 2005 meeting to allow time to located persons interested in serving on the Library Board.

Mr. Conrad has recommended Ms. Ann Morgan from the Falling River District to serve on the Library Board.

Mr. Craft has recommended Ms. Dorothy Van Opstal from the Appomattox River District to also serve on the Library Board.

Mr. Conrad made a motion, seconded by Mr. Craft, to appoint Ms. Ann Morgan and Ms. Dorothy Van Opstal to the J. Robert Jamerson Memorial Library Board for a four (4) year term from July 1, 2005 to June 30, 2009. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- b. **Workforce Investment Board:** This matter was also held over from the June 6, 2005 meeting.

Mr. Conrad made a motion, seconded by Mr. Craft to nominate Keith Slayton, part-owner of Hometown Pharmacy to serve on the Workforce Investment Board. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 10c. **HUD GRANT:** For sometime now we have all be hearing about \$150,000 appropriation that has been set aside at Virgil Goode's request for Appomattox County, to work with the Workforce Investment Center (old Carver-Price School). This past week we received an application form from HUD and that would be the vehicle for these fund to come to the County. Unfortunately, there is quite a bit required with this application before we can even think of receiving any funding. We are working to get this application completed and submitted. The amount of this grant is not \$150,000, it is 99.2% of \$150,000. (\$148,000).

Mr. Carter next called attention to the **CONSENT AGENDA:** (Items 11 -24)

- 11. **Approval of Minutes:** Please approve minutes of Joint Board of Supervisor and Town Council Meeting on May 23, 2005; Special Called Meeting on May 23, 2005; and Regular Meeting on June 6, 2005.

- 12. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 13. **Electoral Board/General Registrar:** Please appropriate by consent a supplemental appropriation in the amount of \$1,351.28 to 1301-7001 to pay bills for the month of June, 2005. This money will be reimbursed by the Federal Government.
- 14. **Court Service Unit:** Please appropriate by consent a supplemental appropriation in the amount of \$1,450.00 to 2109-3009 to pay bills for the month of June 2005.
- 15. **Sheriff's Department:** Please appropriate by consent a supplemental appropriation in the amount of \$82.44 to 3102-1002 for payment received from the school for reimbursement of officers.

Please appropriate by consent a supplemental appropriation in the amount of \$347.31 to 3102-1002 for reimbursement from the U. S. Department of Justice.

16. **Jail:** Please appropriate by consent a supplemental appropriation in the amount of \$41,400.00 to pay expenses due to increased inmate population.
17. **Comprehensive Services Act:** Please appropriate by consent a supplemental appropriation of \$4,035.00 to 5310 to pay bills for the month of June 2005.
18. **Capitol Project (Bond):** Please appropriate by consent \$1,176.00 to pay Dominion Seven for professional services provided for the Animal Pound.
19. **School Board:** Please appropriate by consent and supplement \$10,067.59 to the School Board's budget for funds deposited with the Treasurer from Medicaid Reimbursement.

Please appropriate by consent and supplement \$5,713.00 to the School Board's budget for funds received from the Virginia Tobacco Settlement Foundation Grant.

Please appropriate by consent and supplement \$5,449.28 to the School Board's budget for funds deposited with the Treasurer from the United Way of Central Virginia for Spot and Dot.

Please appropriate by consent and supplement \$608.67 to the School Board's budget for funds deposited with the Treasurer from retiree's for dental insurance reimbursements.

FUND TRANSFER:

20. **Sports Complex Fund:** Please transfer and appropriate by consent a supplemental appropriation in the amount of \$19,977.19 from the Sports Complex Fund to 7101-3002 to pay bills for June 2005.

LINE ITEM TRANSFERS:

21. **Board of Supervisors:** Please transfer by consent \$500.00 from 1101-5806 Employee Education Expenses to 1206-3002 Professional Services to pay the County Attorney.

Please transfer by consent \$2,140.00 from 1101-2005 Blue Cross and \$6,489.00 from 1101-3002 Professional Services to 1301-7009 Precinct Accessibility and 4302-3002 Professional Services to pay the final payment on the repairs to the voting precincts and janitorial expenses for the Courthouse.

Please transfer by consent \$16,000.00 from 1101-2005 Blue Cross to 4302-5101 Electrical Services-\$10,000.00 and 4302-5308 General Liability Insurance-\$6,000.00.

Please transfer by consent \$16,794.00 from 1101-2005 Blue Cross to 3606-2005 Blue Cross-\$1,741.00 and 3606-5417 Signage - \$15,053.00.

Please transfer by consent \$3,120.00 from 1101-2005 Blue Cross to 1201-5203 Telecommunications to pay Verizon and VITA for June 2005.

22. **Commissioner of Revenue:** Please transfer by consent \$2,000.00 from 1209-5201 Postage to 1209-1001 Salaries and 1209-2002 Retirement.
23. **Treasurer:** Please transfer by consent \$2,120.00 from 1213-5415 to 1213-3007; 1213-5401; 1213-5501; 1213-5504; and 1213-5801.
24. **Landfill Collection:** Please transfer by consent \$3,480.00 from 4203-2005 Blue Cross to 4203-1001 and 4203-2009.
25. **County Administration:** Please transfer by consent \$2,371.00 from 1101-7001 Equipment to 5309-7009 Courthouse Project to pay Commonwealth Overhead Door.

Please transfer by consent \$5,231.00 from 1204-3002 Professional Services to 2106-1001; 2107-2001; 4302-5101 and 5301-5305.

Mr. Craft made a motion, seconded by Mr. Conrad to approve the **Consent Agenda** as presented: ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called attention to the **INFORMATIONAL ITEMS:**

26. **House Joint Resolution 768:** We have received a copy of HJR 768 encouraging local governments to support the spaying and neutering of companion animals by providing incentives to citizens.
27. **School Board:** School Board Monthly financial report for May 2005.
28. **Biosolids Application Modification:** Synagro Mid-Atlantic has notified us that they are attempting to modify their application.
29. **Supervisor Concerns:**
Mr. Craft stated that a couple of months ago, the question was raised regarding the Youth Association putting electricity in a trailer at the Ball Park. His questions have been answered and he would like to take action on this request.

Ms. Ferguson will have this placed on the agenda for the next meeting.

Mr. Carter updated everyone on the Emergency Medical Services Committee meeting on Tuesday, June 14, 2005. There was a lot of discussion from the members in attendance. There were some action items taken from this meeting and overall it was a very positive meeting. The next meeting will take place on Wednesday, July 13, 2005.

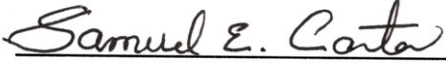
Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

Tuesday, July 5, 2005
6:30 p.m.
Regular Scheduled Meeting
Town Council Chambers

Monday, July 18, 2005
6:30 p.m.
Regular Scheduled Meeting
Town Council Chambers

Thursday, July 28, 2005
6:30 p.m.
Joint Meeting with Town Council
Community Center

At 7:40 p.m. Mr. Conrad made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes- 1 absent)


Samuel E. Carter, Chairman

On Monday, June 20, 2005 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held at joint Public Hearing at 7:00 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

PRESENT: (Planning Commission)

Steven Conner
Al Sears (arrived at 7:10 p.m.)
Calvin Tanner
Jerry Hughes
Marvin Mitchell
Robert Johnson
Barry Morris

Shannon Dews
Bryan Baines

ABSENT: (Planning Commission)
Kevin H. O'Brien

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:
"This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting immediately following the Public Hearing in the Old J & D Courtroom. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. As you approach the microphone, please state your name and address for the record."

Mr. Carter then turned the meeting over to Mr. Spencer.

Mr. Spencer stated there was only one petition to be heard.

Petition #05-555 – Industrial Development Authority of Appomattox County:

The applicant is requesting a Conditional Use Permit to allow the operation of a ready mix concrete plant on Route 1029 between Route 26 and Route 460 in the Appomattox Center for Business and Commerce. The subject property, identified as Lot 7 (12.7 acres) in the ACBC Master Plan, is a portion of Tax Map Number 63(A)80 totaling 568.90 acres in size. The property is zoned Planned Industrial Park District (M-IP). If the permit is granted it would amend the zoning ordinance and the use would become a conditional use in that zoning district (Sect. 170-25 Appomattox County Code).

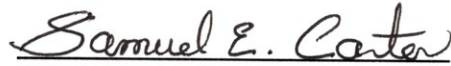
Mr. Spencer called for comments in favor of this petition.

Mr. Bill Slagle, of Route 2, Box 400, Spout Spring, Va. came forward and stated he is the Chairman of the Industrial Development Authority of Appomattox County. Mr. Slagle acknowledged Mr. Buddy Conner of the IDA and Mr. Bobby O'Brien, President of Lynchburg Ready Mix as being present. Since this petition has been presented to the Board of Supervisors on two previous occasions, Mr. Slagle stated that if it pleases both bodies, he would dispense with all the details of this application. Mr. Slagle stated the IDA has met with Mr. O'Brien and have worked out the details for his location and have come to an agreement on the conditions that the proper screening be provided and they highly encourage that this application be approved.

Mr. Spencer called for additional comments.

Hearing none, Mr. Spencer turned the meeting back to Mr. Carter.

At 7:11 p.m. Mr. Carter declared the Public Hearing Closed.


Samuel E. Carter, Chairman

On Tuesday, July 5, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation, after which everyone joined in the Pledge Allegiance to the American Flag.

Mr. Carter next asked for the **Setting of the Agenda:**

There were two (2) items to be added:

15b. Line Item Transfer

19. Supervisor Concerns

Mr. Carter next called for the **Citizen Public Comments Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Since there were no **Appearances** scheduled, Mr. Carter moved to the next item.

ADMINISTRATIVE ITEMS: (Items 1 – 5)

1. Zoning Petitions: The Planning Commission has submitted its recommendation from the Planning Commission meeting held on June 20, 2005 to approve the following petition:

Petition #05-555 – Industrial Development Authority of Appomattox County: The applicant is requesting a Conditional Use Permit to allow the

operation of a ready mix concrete plant on Route 1029 between Route 26 and Route 460 in the Appomattox Center for Business and Commerce. The subject property, identified as Lot 7 (12.7 acres) in the ACBC Master Plan, is a portion of Tax Map #63(A)80 totaling 568.0 acres in size. The property is zoned Planned Industrial Park District (M-IP).

Mr. Conrad stated that it was his understanding that after the installation of the cement facility at the Industrial Park, the structures located on 460 West would be removed. Several other Board members expressed their approval of this petition.

Mr. Moore made a motion, seconded by Mr. Craft, to approve **Petition #05-555 – Industrial Development Authority of Appomattox County**, for a Conditional Use Permit to allow the operation of a ready mix concrete plant on Route 1029 between Route 26 and Route 460 in the Appomattox Center for Business and Commerce. The subject property, identified as Lot 7 (12.7 acres) in the ACBC Master Plan, is a portion of Tax Map #63(A)80 totaling 568.0 acres in size. The property is zoned Planned Industrial Park District (M-IP). This approval to include the following proffered conditions by the applicant: *"The IDA will work with Lynchburg Ready Mix to insure that said company will install and maintain vegetative screening to the greatest degree possible to screen their buildings, trucks and other property and activities from the view of neighboring parcels and the internal street system of the Appomattox Center for Business and Commerce."*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Central Virginia Community Services Board:** Central Virginia Community Services has submitted its FY2006 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services for approval.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the Central Virginia Community Services FY2006 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Region 2000 Regional Commission Summer Dinner Meeting:** The Region 2000 Regional Commission's Summer Dinner Meeting is scheduled for July 21, 2005 at 5:00 p.m. at the Lynchburg Ramada Inn on Odd Fellows Road. A copy of the menu has also been received. Please notify the County Administrator if you wish to attend.

Mr. Conrad, Mr. Craft, Mr. Moore, Mr. Carter, Mr. Overstreet and Ms. Ferguson will be attending the Region 2000 Regional Commission Summer Dinner Meeting on July 21, 2005 at 5:00 p.m. at the Lynchburg Ramada Inn on Odd Fellows Road.

4. **Light for Storage Trailer at the Ballpark:** A request was received to allow the Youth Sports to run a line and install a light in the storage trailer at the Town Ballpark.

This matter has been on the table for several months and action is needed to finalize the matter.

Mr. Craft stated that when this item was presented previously, he asked that it be tabled in order for the Youth Sports members to explain why this was necessary. The night this was scheduled, no one showed up from this organization. It is his understanding that this trailer is used mainly for the storage of equipment.

Mr. Craft made a motion, seconded by Mr. Conrad, to deny the Youth Sports to run an electric line and install a light in the storage trailer located at the Town Ball Park. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 5. New Voting Machines:** The new voting machines have been purchased and Ms. Smith has been trained on the usage of these machines. She has offered to set up a training session for Board Members and County employees for the week of July 18, 2005. Is there a day of the week that is more convenient for you.

Question was raised if this would be done as a group. It was the Consensus of the Board to hold this training on Tuesday, July 19, 2005 at 3:30 p.m. at the Old J & D Courtroom.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 6 – 15)

- 6. Approval of Minutes:** Please approve minutes for the Regular Meeting of June 20, 2005; and Joint Public Hearing of June 20, 2005.

- 7. Approval of Bills:** Please approve bills for payment as presented.

FUND TRANSFER:

- 8. Sports Complex Fund:** Please transfer by consent \$61,663.00 from the general fund to the Sports Complex Fund for FY2005 budget for reimbursement received from a grant.
- 9. E-911 Fund:** Please transfer by consent \$116,976.93 from the General Fund to the E-911 fund for reimbursement received from the bond.

SUPPLEMENTAL APPROPRIATIONS:

- 10. Sheriff's Department:** Please appropriate by consent and supplement the following amounts to the line items listed for funds left over at the end of FY2005.

3101-1004 (DMV Grant Overtime)	\$1,021.28
3101-2001 FICA	248.99
3101-7001 Equipment	700.32
3100-1002 LLEGB Grant Overtime	736.00
3100-2001 FICA	61.00
3102-5804 TRIAD Donations	1,102.00

- 11. J. Robert Jamerson Memorial Library:** Please appropriate by consent and supplement the following to the line items shown for funds remaining in the budget at the close of FY2005.

7301-5414 Pamplin Library	\$1,077.00
7301-5415 Summer Reading Program	1,823.00

- 12. Electoral Board/General Registrar:** Please appropriate by consent and supplement \$900.00 to line item 1301-7001 in the Electoral Board's budget to pay for equipment. This money will be reimbursed from Federal HAVA funds.

- 13. E-911:** Please appropriate by consent and supplement \$75.00 to 3606-5417 to pay for a sign that was damaged by a mowing contractor. This money has already been paid to the County by the contractor.

- 14. Old Courthouse Repairs:** Please appropriate by consent and supplement \$19,032.22 to the General Maintenance budget to pay for the repairs to the back of the old Courthouse.

- 15. Capital Improvement Bond:** Please appropriate by consent and supplement the remainder of the bond funds as follows:

Renovation of E0911 Communications Center	\$934,389.74
Animal Pound	455,854.22
Landfill	<u>2,365,079.67</u>
Total	\$3,755,323.63

LINE ITEM TRANSFER:

- 15b. Refuse Collection:** Please approve the following transfer for changing a part-time position to a full time position:

Delete:	1101-5804 Operating Reserve	\$14,892.00
	4203-1003 Part-time Salaries	<u>8,000.00</u>
		\$22,892.00

Add:	4203-1001 Salaries/Wages	\$15,971.00
	-2001 FICA	612.00
	-2002 VRS	2,276.00
	-2005 BC/BS	<u>4,033.00</u>
		\$22,892.00

Mr. Craft made a motion, seconded by Mr. Conrad to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **INFORMATIONAL ITEMS:** (Items 16 – 18)

- 16. Electoral Board and General Registrar:** The Electoral Board and General Registrar would like to thank you for the work that was done on the voting precincts. This work has been completed.

17. **Robert E. Lee Soil and Water Conservation District:** Minutes of the Board of Director's Meeting of April 28, 2005 and May 26, 2005.
18. **Appomattox County Parks, Recreation and Tourism:** Ms. Dixon has submitted the activities report for the month of June, 2005.
19. **Supervisor's Concerns:**
Mr. Carter stated the Speed Limit Sign on 460 West has been moved to just past the Moose Lodge entrance road.

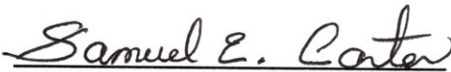
Mr. Carter next reminded everyone of the **Upcoming Meetings:**

July 18, 2005
Regular Scheduled Meeting
6:30 p.m.
Council Chambers
Appomattox Town Office

July 21, 2005
Region 2000 Regional Commission Meeting
5:00 p.m.
Lynchburg Ramada Inn

July 28, 2005
Joint Public Comment Session with Town of Appomattox
6:30 p.m.
Appomattox County Community Center

At 6:48 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, July 18, 2005, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator

John G. Overstreet – County Attorney

John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation. Mr. Carter then asked everyone to join in the pledge of Allegiance to the American Flag.

Mr. Carter stated the first item of business was the **Setting of the Agenda:** There were no items to be added at this time.

Mr. Carter next called for the **Citizen Public Comment Period:**

This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one had any comments for the Board.

Mr. Carter then called for the **ADMINISTRATIVE ITEMS:** (Items 1-5)

1. **Permit Application for Musical or Entertainment Festival:** Ken and Bonnie Swanson have submitted an application for a music festival to be held on Saturday, September 3, 2005 on Route 630 at Evergreen. They are also requesting the bond and application fee be waived.

There was some discussion regarding the guidelines for waiving bond fee and application fee. Mr. Overstreet stated the Board could waive the bond fee, but not the application fee.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the Musical and/or Entertainment Festival permit application for Ken and Bonnie Swanson to hold a music festival on Saturday, September 3, 2005 on Route 630 in Evergreen and also to waive the Bond fee. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Health and Dental Insurance Renewal:** Meetings have been held over the past several months with the School Staff and the Benefits Coordinator to discuss alternatives for providing affordable health and dental insurance for our employees. It has been recommended that we accept Delta Dentals quote for dental insurance and offer two (2) options to employees for health insurance. At present the County pays \$341.56 towards the employee's health insurance premium. With the dual options being offered the lower of the two (2) premiums is \$334.84, therefore, this will be the amount paid for FY2006 towards the employee's health insurance with Anthem/Blue Cross.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust to accept Delta Dental as the dental care carrier for Appomattox County Employees and to also

contribute \$334.84 toward the employees medical insurance coverage with Anthem/Blue Cross for FY2006. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. National Park Service – Rivers, Trails and Conservation Assistance

Program: Information was provided some time ago concerning the possibility of some funding through the National Park Service that would help us conserve and enhance cultural and natural resources in our community. The Town of Appomattox has agreed to pursue this funding and the County Administrator is requesting the Board adopt a resolution agreeing to participate also.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt the following Resolution of Support to the National Park Service – Rivers, Trails and Conservation Assistance Program:

RESOLUTION OF SUPPORT NATIONAL PARK SERVICE – RIVERS, TRAILS AND CONSERVATION ASSISTANCE PROGRAM.

WHEREAS, the National Park Service provides technical assistance through the Rivers, Trails, and Conservation Assistance Program to help communities conserve and enhance cultural and natural resources; and

WHEREAS, The County of Appomattox is committed to the preservation and enhancement of the historic, cultural and resources within the County; and

WHEREAS, the County, in partnership with the Town of Appomattox and the Appomattox Court House National Historical Park, held a Community Visioning Workshop to develop a sustainable vision for the community; and

WHEREAS, the County of Appomattox has developed the Appomattox County Community Park and is committed to increasing the opportunities for recreation and leisure activities; and

WHEREAS, the "Regional 2000 Greenways and Blueways Plan" identifies a trail corridor within the area of Appomattox and Appomattox Court House National Historical Park as a priority project within the regional plan; and

WHEREAS, Appomattox County Recognizes the importance of highlighting the unique cultural and historical qualities of the community to ensure the quality of life for its residents now and in the future;

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX COUNTY BOARD OF SUPERVISORS that the County wholeheartedly supports the application to the National Park Service – Rivers, Trails, Technical Assistance Program and hereby respectfully request that the National Park Service look favorably upon the application submitted by the Town and County of Appomattox.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Resolution Local Taxing Policy:** Rockingham County Board of Supervisors has passed a resolution concerning local taxing authority. They have requested that we consider their resolution and possibly take similar action to help protect local government taxing of real estate.

RESOLUTION

LOCAL REAL PROPERTY TAXING AUTHORITY

WHEREAS, in 1926, then Governor Byrd exchanged the Commonwealth's right to impose a real estate tax for local government's agreement to give up the right to impose an income tax; and,

WHEREAS, the real estate tax is the primary source of local income, at an average of 48% of all local revenues collected statewide; and,

WHEREAS, as the principal source of income for local government, localities rely heavily on this source of income to meet federal and state mandates for services, especially education and public safety; and,

WHEREAS, two of the candidates in the 2005 election for Governor of the Commonwealth (former Attorney General Jerry Kilgore and Lt. Governor Tim Kaine) have stated as a high priority for their respective campaigns the imposition of an assessment or other limitations on the residential component of the real estate tax, which would severely restrict localities and would constitute a breach of trust from the agreement reached in 1926; and

WHEREAS, the proposal from either candidate would weaken budget discipline, since support for services would not necessarily be linked to the responsibility to pay for them, and could potentially force a greater dependence on taxation of the business sector to support local services, thereby harming economic development in the Commonwealth; and

WHEREAS, in 1997, in the campaign for Governor, then candidate James Gilmore used as the cornerstone for his campaign, the repeal of the personal property tax on non-business use motor vehicle, which is credited with his winning the office; and,

WHEREAS, the cost to the citizens was greatly underestimated, which has since led the General Assembly to place a cap on the state's commitment to make its payments to localities under this plan;

NOW, THEREFORE BE IT RESOLVED that the Appomattox County Board of Supervisors calls upon these two gubernatorial candidates, and upon all candidates for state and federal office, to refrain from establishing local tax policy at the state or federal level, due to the potential negative impact such action may have on the ability of local government to deliver local services; and

FURTHER, should a candidate or legislator desire to impact tax policy as it relates to the real estate or other local tax, that the candidate or legislator use as the tool to address such policy tax credits or deductions to state or federal income taxes in lieu of enacting limitations on local taxing authority; and

FURTHER, that it is imperative for local government to retain sole control over the decisions which determine equity of local taxation policy, if governing bodies are to effectively address local service needs.

Mr. Conrad stated he felt the Board should not take action on this tonight as it requires further study. This resolution will give the Counties the ability to decide their own needs based on taxes rather than having the State tell them how much they can do and how much they cannot do as with the past decision by Gov. Gilmore to eliminate the car tax which limited our ability to fund certain programs by reducing our revenue.

After much discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to table this item until the second meeting in August, 2005. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Youth Sports Donation:** There has been some discussion that the \$5,000.00 set aside in the budget for Youth Sports may be better used toward helping complete the projects underway at the Community Park.

Mr. Conrad stated he had some information to present during the Supervisor Concerns period pertinent to this matter. He is requesting that any action on this item be deferred until later in the meeting.

Mr. Carter next called for the **CONSENT AGENDA:** (Items 6-14)

6. **Approval of Minutes:** Please approve minutes of regular meeting held on July 5, 2005.
7. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

8. **Sheriff's Department:** Please appropriate by consent a supplemental appropriation in the amount of \$4,476.14 to 3102-5408 for reimbursement received from the insurance to replace radio equipment destroyed in automobile accident.
9. **Library:** Please appropriate by consent a supplemental appropriation totaling \$541.29 to the library budget for donation's received, book replacement fees and book sales.
10. **School Board:** Please appropriate by consent a supplemental appropriation in the amount of \$304.38 to the school budget for funds received from individuals for dental insurance premiums.

Please appropriate by consent and transfer funds from the School Textbook Rental Fund in the amount of \$300,000.00 to pay for expenditures for textbooks and related materials.

Please appropriate by consent and transfer the following:

\$78,621.30 VPSA 2001 C Non Subsidy Principal Account #20-10

\$28,138.70 VPSA 2001 C Non Subsidy Principal Account #20-11

\$30,187.09 VPSA 2003 B REF 91 A Savings Non-Arbitrage Fund

Principal Account 20-18

\$ 897.22 VPSA 2003 B REF 94A Savings Non-Arbitrage Fund

Income Account 20-19

FUND TRANSFERS:

- 11. Law Library Fund:** Please transfer by consent and appropriate a total of \$1,313.85 from the Law Library Fund to cover the cost of a computer - \$1,103.87 and \$209.98 for a printer.

LINE ITEM TRANSFERS:

- 12. General Properties:** Please transfer by consent and appropriate \$5,000.00 from operating reserve in the Board's budget to Capital Outlay in the General Properties budget to make the final payment on the Courthouse contract.
- 13. Building and Housing:** Please transfer by consent and appropriate \$250.00 from the Zoning budget to the Office of Building and Housing for telephone expense.
- 14. Board of Supervisors:** Please transfer by consent and appropriate \$3,202.00 from operating reserve in the Board's budget to other categories in the Board's budget to pay for computer and telephone repairs.

Mr. Craft made a motion, seconded by Mr. Moore to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:** (Items 15-17)

- 15. Town of Appomattox:** Agenda for Town Council meeting of July 11, 2005.

- 16. School Board:** Monthly financial report for the schools for the month of June, 2005.

- 16. Supervisor Concerns:** Mr. Carter asked if there were any matters for discussion at this time.

Mr. Conrad had some concern regarding Landfill issues. The public needs to be informed that regardless of what the Board decides to do, our existing landfill will still be used because there are still monitoring, engineering, etc. that will still have to be done. It would be useful to have Ms. Rockefeller make a presentation monthly.

Mr. Moore agrees with Mr. Conrad's suggestions and feels that the employees at the landfill with years of experience will be able to carry on the day to day operation as long as necessary.

Mr. Conrad then turned his discussion to Item 5 – Youth Sports Donation. When organizations request funds, we should look at requiring that they give us some information regarding their assets. If they have funds in a bank account they are not using, why come to us for a donation. Maybe we should have them file an application expressing why this donation is needed. It is his understanding that this particular group – Youth Sports – has a substantial amount of money in the bank. He further stated he did not have any problem supporting organizations of this type when they run out of money but he feels this \$5,000.00 would be better off put into the Community Park Fund.

Mr. Carter stated he agrees with this somewhat. He further stated that Appomattox Youth Sports contributed approximately \$68,000.00 several years ago, to the Community Park.

Mr. Conrad made a motion, seconded by Mr. Moore, to transfer the \$5,000.00 from Youth Sports Donation to the Community Park Fund. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Conrad discussed an article in the County Connections (VACo publication) relative to the Eminent Domain Authority upheld by the Supreme Court. He feels the County needs to take a stand on how we feel about this decision.

Mr. Conrad also discussed what the intended uses are for the old Appomattox Elementary School and if we wish it to be placed on the Historic Register. Also we need to start thinking about how, if and when the Old Courthouse building will be used.

Mr. Craft stated he had some concern regarding the employees of the Landfill and the amount of time they have invested in the Virginia Retirement System.

Mr. Armbrust stated that when the discussion first began regarding the new landfill cell, we got lots of information and all these different figures from BFI, had engineers look at the situation and we went with the best and cheapest route. Then people came in with numbers that were different from what BFI had given us and now there is a debate. Facts are facts and we had the best people look at this and there should be no debate. The workers would have their jobs and we should do what is best for the taxpayers. We need to get some cold hard facts.

Mr. Moore commented that this is not a case of us getting squeezed out because of the lack of space. We have lots of land at the landfill area. This should also be taken into consideration.

Mr. Carter gave an update on the Rescue Squad situation. There was a meeting scheduled for July 13, 2005 but this had to be postponed. A new meeting date has not been scheduled.

At 6:58 p.m. Mr. Carter called a recess to hold the Joint Public Hearing scheduled for 7:00 p.m.

At 7:05 p.m. Mr. Carter reconvened the Board of Supervisors Meeting.

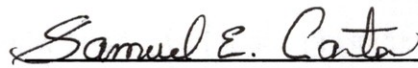
Mr. Carter then reminded everyone of the **Upcoming Meetings:**

July 21, 2005
Region 2000 Regional Commission Meeting
5:00 p.m.
Lynchburg Ramada Inn

July 28, 2005
Joint Public Comment Session with the Town of Appomattox
6:30 p.m.
Appomattox County Community Center

August 1, 2005
Regular Scheduled Meeting
6:30 p.m.
Appomattox Town Office

At 7:08 p.m. Mr. Conrad made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, July 18, 2005, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint public hearing at 7:00 p.m. in Council Chamber of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)
Samuel E. Carter, Jr., Chairman - Courthouse District
Shawn Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)
Kevin O'Brien
Robert Johnson

Al Sears
 Shannon Dews
 Steve Conner
 Calvin Tanner
 Marvin Mitchell
 Barry Morris
 Jerry Hughes
 Bryan Baines

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
 John K. Spencer, Jr. - Assistant County Administrator
 John G. Overstreet - County Attorney

At 7:00 p.m. Mr. Carter called the Public Hearing to order and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Spencer.

Mr. Spencer stated there was only one petition to be considered:

#05-556 – Hackett Enterprises. The applicant is requesting a Conditional Use Permit to allow the operation of a concrete contracting business on Route 460 between Route 609 and Route 667. The subject property, identified as Tax Map No. 60(4)B, is 5.05 acres in size and is zoned Industrial District M-1.

Mr. Spencer called for comments for this petition.

Ms. Wendy Ford, 85 Amy Road, Rustburg, Va. . Ms. Ford stated she is representing Ragnarok, Inc. who wish to purchase the property that was previously ShadowWood Nursery next to Bohannon Electric Co. Ms. Ford stated they have twenty-one (21) employees and have been in business approximately 8 years. They have been involved in the concrete business for about 29 years. They are not a concrete business but a concrete contracting business.

Mr. Spencer called for additional comments for this petition.

Mr. Spencer called for comments against this petition.

Hearing no further comments, Mr. Spencer turned the hearing back to Mr. Carter.

At 7:03 p.m. Mr. Carter declared the public hearing closed.

Samuel E. Carter
Samuel E. Carter, Chairman

At 6:30 p.m. on Thursday, July 28, 2005 the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at the Appomattox Community Center to receive comments regarding the Proposed 460 Water Line.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Town Council)

John Wilson
Steve Lawson
Lewis McDearmon
Joyce Bennett
Marvin Mitchell

ABSENT: (Town Council)

Ronnie Spiggle – Mayor
Norman (Jimmy) Mayberry

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
David Garrett, Jr. – Town Manager
David Hawkins - Town Attorney
Bill Gillispie – Region 2000 Commission
Jeff Rogers – Region 2000 Commission
Gary Christie – Region 2000 Commission
Walter Hancock – Region 2000 Commission

At 6:00 p.m. Mr. Carter gave the invocation and asked every one present to join in the Pledge of Allegiance to the American Flag.

Mr. Craft made a motion, seconded by Mr. Conrad to call the meeting to order. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye.

Motion was made and seconded to call the Town Council to order. VOTE: All ayes.

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these projects go into place the existing customers will end up paying for the capital improvements as well as the operating costs.

Mr. Gillispie stated that the last three alternatives would be the most mostly. There was also some discussion regarding the water-shed operation recently done in Nelson County. Appomattox County presently uses about three times the amount of water of Nelson County. Appomattox would require a much larger water-shed project at a much higher cost to build and operate, approximately 11 million dollars.

Mr. Carter then opened the session to citizen comments.

Dr. Betty W. Siano of 106 Virginia Avenue, Appomattox, Va. came forward. Dr. Siano stated she resided in the Falling River Acres subdivision. She has spoken on this subject previously and has concluded that the Board does not care what any of the taxpayers think. You do not really want our opinions, you just want us to think us so. How many ways do we have to say NO WATER LINE!!!! We have presented petitions with over 2,000 signatures, written letters to the news papers and some have even resorted to putting bumper stickers on our automobiles. Appomattox County residents have been betrayed. We elected a COUNTY Board of Supervisors to represent all of us, not just those citizens living in the town. If the TOWN wants more water, for whatever reason, let them have it and let them pay for it. We are supposed to have a Representative form of government. She has made numerous calls to her representative, and she has not had a single call returned. This is representative government???? This is a lack of respect and demeaning toward constituents, not a solution. She have been forced to be very public with her intentions. She is 80 years old and this is not her nature. If you really want to know how everyone feels regarding the water line, a referendum should be placed on the ballot for the upcoming election. Thank You.

Ms. Sara Carter of Route 3, Box 238B in the Piney Mountain District of Appomattox County came forward and stated she wished to speak to regarding her concerns about the water for the County which she understands is a difference, if you live in town. She is concerned about drought and economic development. If today someone would do an extensive land use, that land use would be limited to the town because the town has the public facilities. If we provide additional utilities and facilities along Route 460, we would be putting Appomattox County in direct competition with the Town for that economic development. The Town and County should be bound together. She would not like to see one government make a decision that would negatively impact the other. She would not like to see the businesses in town moved out on Route 460. She is also concerned that utilities along Route 460 will bring more residential areas, which will in turn mean more children to be educated, along with increased services from the Fire Department and Emergency Medical personnel. This would also increase citizens concerns and what it would cost the County. She pleads with the Board to carefully consider how they address the impact that will come from that water line. How to insure that the right kind of development comes and how to deal with the future impact of such a water line. We need a better response to these questions. Thank you.

Mr. Bill Jamerson, Route 272, (P.O. Box 395), Appomattox, Va. spoke next. He has had a number of individuals ask him how he feels about this proposed water line. He is in

support of a alternate water source, but is not supporting any particular alternative, but you have all the information before you to help you make this decision. You have a tough job and a tough responsibility. What is good for the Town is good for the County and vice versa. We cannot sit ourselves out on an island. We depend on joint localities for medical care, jobs, schooling, etc. We have a Planning Commission which he supports. We need to quit expending all the energy that has gone into letter writing, etc. Some of this information is not the right information and some of it no one can quite understand. We need to make a decision and move on.

Mr. Bill Slagle, of Route 2, Box 400, Spout Spring, Va. spoke next, stating he commends the Council and the Board for the way they have dispersed information to the citizens. The information is there should anyone want to find it. He supports an alternative water source. When he came to Appomattox County he worked as the Town Manager and the County Administrator. At that time it was obvious that we needed to find an alternative water supply. There are some who think we are setting on top of a underground river and all we need to do is dig a hole a find water. This is not true. He supports an alternative water source and advises the Town Council and Board of Supervisors to move ahead.

Mr. Carter asked if anyone else wished to address the Town Council and Board of Supervisors. He also thanked those who participated for their comments.

Mr. Carter asked if the Board and Council felt that they had sufficient data on this project from Wiley & Wilson, the Regional Commission and comments from others to move forward or do nothing. He also stated he would entertain comments or motions from the Board to continue on this project, with the next step being to start negotiations.

Mr. Conrad stated that we do need a motion from the Board if we are going to move on with this and negotiate a contract with Campbell County PSA. It would be to our advantage to find out what our cost would be, based on what we have heard and discussed in regard to Option 2B.

Mr. Craft stated he feels we need to move on, we have been dragging our feet long enough.

Mr. Conrad made a motion, seconded by Mr. Craft to negotiate with Campbell County for rates on this project. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then turned the meeting over to the Town Council for any action they wished to take.

At 7:34 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes).

Samuel E. Carter
Samuel E. Carter, Chairman

At 6:30 p.m. on Monday, August 1, 2005 the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox Town Hall located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney

At 6:30 Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation after which everyone joined in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:** There was one item to be added.

- 6A. Public Hearing on Proposed Changes to Memorandum of Understanding regarding Regional Revenue Maximization Board will be held on August 15, 2005 at 6:15 p.m.
- 16. Delete Closed Session from Agenda

Mr. Carter next called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one wished to address the Board at this time.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1-6)

- 1. **Zoning Petition:** Planning Commission recommendation from Public Hearing held on July 18, 2005 approving of the follow petition:

Petition #05-556- Hackett Enterprises. Conditional Use Permit to allow the operation of a concrete contracting business on Route 460 between Route 609 and Route 667. Subject property, Tax Map #60(4)B is 5.05 acres in size and is zoned Industrial District M-1. Granting petition would amend the zoning ordinance and the use would become a conditional use in that zoning district (Section 170-51 – Appomattox County Code).

Mr. Conrad had a question. What is it exactly that this contracting business will be doing at this location.

Mr. Craft stated they will be dealing with ready made concrete products, i.e. for steps, curbs, etc. They will also have service trucks for concrete.

Mr. Craft made a motion, seconded by Mr. Moore, to accept the Planning Commission's recommendation and approve **Petition #05-556- Hackett Enterprises**. Conditional Use Permit to allow the operation of a concrete contracting business on Route 460 between Route 609 and Route 667. Subject property, Tax Map #60(4)B is 5.05 acres in size and is zoned Industrial District M-1. Granting petition would amend the zoning ordinance and the use would become a conditional use in that zoning district (Section 170-51 – Appomattox County Code). VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Sheriff's Department Radio System:** Bids have been received for a new radio system for the Sheriff's Department. This was budgeted in the FY2005 budget but bid process was not completed before the end of the budget year. Total amount of bid is \$195,160.00. Original bid included three (3) repeater sites, two (2) of these sites were removed from the bid package in order to bring the bid in under budget. Sheriff's Department will try to operate with one repeater site and see if this will be sufficient. If not, additional funding will be requested.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to accept the bid of GCS Electronics and Communications in the amount of \$195,169.00 for a radio system for the Sheriff's Department. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Resolution on Local Taxing Policy:** Rockingham County Board of Supervisors has passed a resolution concerning local taxing authority. They are requesting that Appomattox County consider their resolution and possibly take similar action to help protect local government taxing of real estate. This item was held over from the July 5, 2005 meeting.

Mr. Conrad stated that both candidates for the Office of Governor in the upcoming election are advocating the reduction of taxes. None of us want to see any tax increases but one of the problems we have experienced over the last couple of years is that we get a lot of Federal and State mandates that are above and beyond what we actually have to do on our own. Yet, basically, what these two candidates would like to do is to make it good for them. This resolution, in essence, will aid local government in protecting our biggest asset – real estate taxes.

After further discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following resolution:

RESOLUTION
LOCAL REAL PROPERTY TAXING AUTHORITY

WHEREAS, in 1926, then Governor Byrd exchanged the Commonwealth's right to impose a real estate tax for local government's agreement to give up the right to impose an income tax; and,

WHEREAS, the real estate tax is the primary source of local income, at an average of 48% of all local revenues collected statewide; and,

WHEREAS, as the principal source of income for local government, localities rely heavily on this source of income to meet federal and state mandates for services, especially education and public safety; and,

WHEREAS, two of the candidates in the 2005 election for Governor of the Commonwealth (former Attorney General Jerry Kilgore and Lt. Governor Tim Kaine) have stated as a high priority for their respective campaigns the imposition of an assessment or other limitations on the residential component of the real estate tax, which would severely restrict localities and would constitute a breach of trust from the agreement reached in 1926; and

WHEREAS, the proposal from either candidate would weaken budget discipline, since support for services would not necessarily be linked to the responsibility to pay for them, and could potentially force a greater dependence on taxation of the business sector to support local services, thereby harming economic development in the Commonwealth; and

WHEREAS, in 1997, in the campaign for Governor, then candidate James Gilmore used as the cornerstone for his campaign, the repeal of the personal property tax on non-business use motor vehicle, which is credited with his winning the office; and,

WHEREAS, the cost to the citizens was greatly underestimated, which has since led the General Assembly to place a cap on the state's commitment to make its payments to localities under this plan;

NOW, THEREFORE BE IT RESOLVED that the Appomattox County Board of Supervisors calls upon these two gubernatorial candidates, and upon all candidates for state and federal office, to refrain from establishing local tax policy at the state or federal level, due to the potential negative impact such action may have on the ability of local government to deliver local services; and

FURTHER, should a candidate or legislator desire to impact tax policy as it relates to the real estate or other local tax, that the candidate or legislator use as the tool to address such policy tax credits or deductions to state or federal income taxes in lieu of enacting limitations on local taxing authority; and

FURTHER, that it is imperative for local government to retain sole control over the decisions which determine equity of local taxation policy, if governing bodies are to effectively address local service needs.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. E-911 Address Maintenance:** Contract has been received from Timmons Group for addressing maintenance on our E911 system.

Ms. Ferguson stated she is asking the Board to give her the authority to enter into the contract with Timmons Group for addressing maintenance on our E911 system. She is also suggesting the Mr. Overstreet review this document before we enter into a contract.

Mr. Armbrust made a motion, seconded by Mr. Conrad to give Ms. Ferguson the authority to enter into this contract with Timmons Group once it has been reviewed by Mr. Overstreet and some minor changes are made. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Moore stated he has noticed while traveling through surrounding counties, our address marking is far superior to any he has seen thus far.

- 5. Funding request from Chief Magistrate for the 10th Judicial District:** Request has been received for funding for office space from William I Oakes, Jr., Chief Magistrate for the 10th Judicial District.

Virginia State Code does not call for localities to provide office space for the Chief Magistrate.

After some discussion regarding the cost involved in providing this funding and checking to see just what other localities are doing, the Board by consensus, tabled this item until the next meeting on August 15, 2005.

- 6. Workforce Development Center:** We have been working for months on issues related to the old elementary school. This project has becoming an all consuming project and the Department of Housing & Community Development is pressuring the County to become even more involved in this project. Another issue that needs to be addressed in relationship to this building is whether the Board wants to make application to place this building on the Historic Register. If this is application is successful it will allow the Carver Price Alumni to tap a source of funding that may help with their project. It could also open up funding sources for the County as well. Proceeding with the application and accepting funding from Historic Resources may also place restrictions on some of the renovations that we attempt to make to the building. You cannot apply for Historic Designation for a portion of the building, the museum, you would have to apply for the entire building. Also, we would need to apply for this designation through a formal request to the Town for them to designate this whole area a historic district.

Mr. Conrad stated he would like to discuss this further. The Board by consensus agreed to hold a workshop session on August 22, 2005 in the Old J & D Courtroom at 6:30 p.m.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 7-12)

7. **Approval of Minutes:** Please approve minutes of regular meeting on July 18, 2005 and Public Hearing on July 18, 2005 as submitted.

8. **Approval of Bills:** Please approve bills for payment as presented.

9. **FUND BALANCE CARRY OVERS:**

Mrs. Belter has provided the end of the year fund balances for the various activities to be carried over by consent to FY2006.

Comprehensive Services	\$ 5,102.31
Law Library	20,238.66
Ballpark (Town Ballpark)	33.69
Capitol Improvement	3,249,755.14
Courthouse Maintenance	52,701.56
Emergency Management Grant	141,909.97

FUND TRANSFERS:

10. **Sports Complex Fund:** Please transfer and appropriate by consent \$25,615.15 to the Sports Complex budget to pay Pearson Construction for work performed at the Community Park.

11. **Revenue Max:** Please transfer by consent \$8,585.00 from Revenue Max Fund to pay Central Virginia Community Services Alliance for Families.

SUPPLEMENTAL APPROPRIATIONS:

12. **Electoral Board/General Registrar:** Please appropriate by consent and supplement \$343.74 to the Electoral Boards budget to pay bills for the month of July 2005. This money will be reimbursed from the Federal Government.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called **Tom Zaebs, Department of Forestry** to address the Board.

Mr. Zaebs stated he is meeting with the Board to give a report on the annual forest harvesting. They harvested 106 acres of pine thinning and 239 acres of timber harvesting. He stated that the markets have not been the greatest since a lot of the market is going overseas, especially China. There is still an issue with the Gypsy Moth but not as great as in the past. The Pine Beetle is not a problem this year. He has some concern regarding a fungal/Asian disease known as Sudden Oak Death, first found in California, that may spread to our area. There is some concern about the Eastern Hemlock Bug. The largest threat to the forestry industry at this time is Urban Development. Mr. Zaebs also presented the County with a check in the amount of \$44,133.70 which represents Appomattox County's share of the forest harvest.

Mr. Carter then presented the **INFORMATIONAL ITEMS:** (Items 13-15)

13. **Application of Virginia Electric & Power Company:** Dominion Virginia Power has filed an application to revise its market prices for generation and resulting wires charges for calendar year 2006.
14. **Department of Transportation:** Quarterly report from the Virginia Department of Transportation.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad said he had gotten a few calls regarding the Oakville School being an eye sore and wanted to know if some of the items there could possibly be put up for auction.

Ms. Ferguson stated that due to manpower, it would not be possible to move these items from Oakville to the School Auction held each year. It would probably be best to hold an auction on premises. She is currently working on this project.

Mr. Armbrust had some questions regarding the incorrect information circulating on the PSA and the waterline. He feels we need to educate the citizens on what a PSA does and how they will regulate without bias. Also rumor has it that everyone will have to "hook up". Citizens need to know that the only people paying for this will be the users. Mr. Armbrust also informed those present that he does indeed return calls to persons in his district who call him regarding a problem.

Mr. Carter asked if there was documentation passed out at the meeting last week at the Community Center as to the definition of a PSA. He feels we need some positive "public relations" and asked for suggestions on how to enhance the knowledge of this to the general public.

Mr. Carter next informed everyone of the **UPCOMING MEETINGS:**

August 15, 2005
Public Hearing
Memorandum of Understanding w/Regional Maximization Board
6:15 p.m.
Town Council Chambers

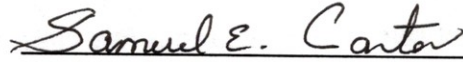
August 15, 2005
Regular Scheduled Meeting
6:30 p.m.
Town Council Chambers

August 22, 2005
Work Session Water Line
6:30 p.m.
Old J & D Courtroom
County Administration Building

September 6, 2005

**Regular Scheduled Meeting
6:30 p.m.
Town Council Chambers**

At 7:23 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

At 6:15 p.m. on Monday, August 15, 2005, the Appomattox County Board of Supervisors held a Public Hearing on the Memorandum of Understanding with Central Virginia Community Services at the Appomattox Town Office located on Linden Street.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Attorney

Mr. Carter asked Mr. Overstreet to give a brief overview of this document.

Mr. Overstreet stated that this agreement is one of these multi-jurisdictional agreements between the members of the local planning district commission and the main purpose is to try to maximize the reimbursements from the Federal Government for Title IV E money. The Community Services Board is the organization that is headquartered in Lynchburg that provides these services for the localities and has been operating under a Memorandum of Understanding since December 2002. Before he became County Attorney in 2003, he was asked by the Board to look at re-drafting the agreement making some changes which he did and he has a summary of the changes. He will go over these changes since this document was already in existence and is just being amended. This Public Hearing is being held by Ordinance because the Code of Virginia requires that any agreements like this among localities needs to have an Ordinance in order to establish the agreements.

The Changes are as follows:

The name is being changed from Revenue Maximization Board to Central Virginia Resource Management and Development Initiative Board.

In the old agreement we mainly speak of Community Services Board of Central Virginia as being our provider and it paid other agencies to come in provide some of these services. We plugged into the agreement – "other partners".

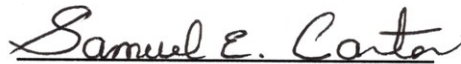
The agreement is used primarily now to get reimbursements for funding for pre-placement prevention services. These are children who are identified as and in families having children who have the potential to go into foster care. The Federal Government believes as do the localities that it is to everyone's benefit to try to prevent this foster care and put out some money to provide these services in home, thus saving money for everyone. We also put in "other activities that may qualify for Federal Reimbursement.

The By-Laws were stuck within the agreement which were cumbersome. The Bylaws of the Board should be separate. If a change was necessary, it would have to come back to this Board and have another ordinance amendment. The By-Laws were made a separate document so this would not have to be done.

This document was cumbersome and hard to understand. Each Department of Social Services in the State has an agreement with the State concerning this reimbursement. The reimbursement to the localities comes from the Federal Government through the State Board of Social Services. What they like is a Regional organization to which they can funnel these funds. Every locality has an agreement with the State – the State wants to use the agreement with the Fiscal Agent in order to fund the money. Amherst County is the present Fiscal Agent. The agreement had to be changed to read, so people could understand what was being done. Also at the behest of Amherst County, the Fiscal Agent, the language was changed so it would be understood that the Fiscal Agent does not have any personal liability if there has to be reimbursement for the monies paid by the Federal Government that should not have been paid. It is the duty of the locality to re-pay these monies, not the Fiscal Agent.

Mr. Carter asked if anyone had any questions or comments.

At 6:23 p.m. Mr. Carter closed the Public Hearing.



Samuel E. Carter, Chairman

On Monday, August 15, 2005, at 6:30 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District

Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation, after which everyone gave the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **SETTING OF THE AGENDA:**

9A. Adopting the Memorandum of Understanding with Central Virginia Community Services Board.

Mr. Carter next called for the **Citizen Public Comments Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens. Anyone wishing to address the Board should come forward, state their name and address for the record. Speakers may not speak on items on the public hearing calendar for the day and no individual citizen will be allowed to address the Board for longer than three (3) minutes.

Mr. William A. Burke, came forward, gave his address as **Route 5, Box 459, Appomattox, VA.** Mr. Burke stated he had been a citizen of the County since 1945. He did not realize he would be the first to speak tonight, but does appreciate being allowed to speak. The President of the Chamber of Commerce is scheduled to speak to the Board tonight on a very controversial subject. He would like to make a few comments on asking the Board of Supervisors to publicly endorse the Chambers efforts to get a referendum signed for the November election of "Liquor by the Drink". He knows that a lot of decisions we have to make every day cannot be "peaches and cream". He has to make them in his business every day and a lot of people may not agree with him, and you as politicians have to do the same. All we are asking for is an endorsement of this, so we can get it on the ballot. Every committee he has served on with the Chamber, Town and County concerning tourism, this subject has come up and you cannot keep pushing it aside. Sooner or later it has to come to a head. Let the people decide. Let them go to the voting booth and vote Yes or No. The number one industry in our County today is tourism. People visiting our Historical Park do not stay here, they go to Farmville or Lynchburg to spend the night and eat the majority of their meals where they have liquor by the drink. We need to capitalize on this money.

Mr. Richard Dean Gallier, of Route 5, Box 410, Appomattox came forward and stated that on Thursday night he had an incident at his home over a dog. When he arrived home in the early afternoon, there was a dog in his shop. It lunged at him, causing him to fall. He called the Sheriff's Office to see if they could send the dog warden to his home. The dog warden gets off at 4:30 p.m. and it is his understanding that he does not take calls after 4:30 p.m. His biggest concern is that this dog tore his

shop up, jumped up on tables and knocked everything in the floor, tried to get out through an exhaust fan, however, he would not leave when the door was opened for him. He finally decided to close him in the shop. His concern is that this dog might have been rabied. The dog was not picked up the next day either. He has a three year old running around. Suppose this dog had killed his three year old and was still running free. Someone needs to address the issue of having someone available, whether it be the Sheriff's office or the dog warden, to handle calls like this in an emergency situation. A lease law would not have taken care of this situation. Someone needs to take charge of incidents like this where a dog is going ballistic before someone gets hurt. We need something put in place to handle these situations.

Mr. Carter asked if anyone else wished to address the Board at this time.

Mr. Carter then called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 9)

1. **Electoral Board:** The State Board of Elections has made an inspection of our voting precincts checking on physical accessibility. Several deficiencies were noted. The State has provided \$4,418.60 to help with these upgrades and has stated that we may request additional funds to cover any remaining costs.

Mr. Carter stated he was quite surprised by all the noted discrepancies that they have put forth. He does not know how much bearing they have on a persons ability to get to and from the voting booth, in and out of the car, some of these seem excessive, but so be it.

Mr. Craft stated these things do have to be corrected.

Ms. Ferguson stated that some time ago, the State Board of Elections made an inspection and we had to install ramps in some places, painting and other things that had to be done. These were taken care of. In looking at what we had corrected, they seem to have found other problems, so one thing calls for another.

After some discussion, it was suggested that Ms. Ferguson contact Watkins Abbitt to see if he can assist us in this matter.

2. **American Legion Request for Use of Courthouse Square:** The American Legion is requesting the use of Courthouse Square to hold a ceremony on September 11th from 11:00 a.m. to 1:30 p.m. recognizing all "first responders" to include police, fire and rescue personnel.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the American Legion's request for use of Courthouse Square on September 11th 2005 from 11:00 a.m. to 1:30 p.m. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

3. **Permit Application for Musical or Entertainment Festival:** Larry and Sterry Davis are requesting a permit to hold their annual Summer Cooler III on September 10, 2005 and that you waive the bond requirement.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Musical and/or Entertainment application from Larry & Sterry Davis to hold their annual Summer Cooler III on September 10, 2005 and to waive the bond requirement. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 4. Bid for Construction of Ball Field Fencing and Backstops:** Bids have been received for the installation of fencing and backstops for the Sports Complex and Community Park. The low bidder was Pearson Construction at \$154,807.13. To bring this project in under budget, the committee has worked with the successful bidder to eliminate certain items. The new bid total is \$77,657.62.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust, to award the contract for the Ball Field Fencing and Backstops to Pearson Construction pending review by the County Attorney, Mr. Overstreet. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 5. E-911 Telephone Equipment and Workstation Furniture:** Verizon is the Sole Source Provider for the 911 telephone equipment with a total price of \$341,727.38.

Three bids were received for the Communications Workstation Furniture. The low bid is from Wrightline Furniture in the amount of \$29,070.20.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve bid from Wrightline Furniture in the amount of \$29,070.20 and give County Administrator, Ms. Ferguson, the authority to sign contracts involving the E-911 Telephone Equipment and Workstation Furniture pending review by County Attorney, Mr. Overstreet. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 6. Road Viewers Resolution:** There were requests to have two (2) roads taken into the State System. The road viewers and the Department of Transportation have examined the two private roads to determine if they meet guidelines for acceptance into the State System. They are proposing that the Board adopt a resolution taking these two roads into the State system.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the following resolution as recommended by the Road Viewers and the Department of Transportation:

***WHEREAS**, the Board of Viewers on July 27, 2005, viewed the following requested sections of roads for eligibility as new additions to the Secondary Road System and recommend to the Board that they be added to the Secondary Road System.*

***BE IT RESOLVED**, this Board does hereby accept the Board of Viewers report and will request the Virginia Department of Transportation to add the following sections to the Secondary Road System of Appomattox County when the necessary unrestricted fifty (50) feet of right of way is obtained, required utility adjustments are completed and funding is available.*

BE IT FURTHER RESOLVED, this Board establishes that the following streets be eligible for acceptance under Section 33.1-72.1 Paragraph "C" of the Code of Virginia:

BURNETT SUBDIVISION, SECTION A

Sun Drive – Beginning at Route 608, Stonewall Road and ending at a cul-de-sac, a distance of approximately 0.25 mile.
Estimated Cost - \$50,000 - 50/50 Funding

SHIREY SUBDIVISION

Shirey Farm Road – Beginning at Route 679, Double Bridges Road and ending at a cul-de-sac, a distance of approximately 0.31 mile. Estimated Cost - \$80,000 – 50/50/Funding

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

7. **Carver-Price Alumni Association, Inc.:** Mrs. Rowena Robinson of the Carver-Price Alumni Association has written requesting the Board allow them to conduct tours of the old school during their annual reunion that is held over Labor Day weekend. Last year they were allowed to conduct this tour and everything went very well.

Mr. Armbrust made a motion, seconded by Mr. Craft, to allow the Carver-Price Alumni Association to conduct tours of the old school during their annual reunion to be held over the Labor Day weekend. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Carter, aye. (4 aye votes – 1 absent)

8. **Appomattox Baptist Temple:** Appomattox Baptist Temple is replacing shingles on the Church and is requesting that the Board exempt them from paying landfill fees for disposal of these shingles. This is normally what we do for groups of this nature.

Mr. Craft asked if this will go in our landfill or will it have to be transferred to Campbell County.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve Appomattox Baptist Temple's request to have landfill fees waived for the disposal of roofing shingles. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

9. **Central Virginia Community Services Board Fiscal Agent:** Ms. Augustine Fagan, Executive director for the Central Virginia Community Services is requesting that you approve for the Board to act as its own fiscal agent. At the present time the City of Lynchburg is acting as fiscal agent for this organization.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to allow Central Virginia Community Services Board to act as its own Fiscal Agent with the

understanding that regular audits will be performed. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 9A. Memorandum of Understanding with Central Virginia Community Services.** A public hearing was held earlier in the meeting to discuss some changes in the Memorandum of Understanding with Central Virginia Community Services Board.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Craft, to adopt an Ordinance to amend the Memorandum of Understanding with Central Virginia Community Services. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

At 6:58 p.m. Mr. Carter called for a Recess for the Public Hearing.

At 7:12 p.m. Mr. Carter reconvened the Board Meeting and presented the **CONSENT AGENDA:** (Items 10 – 14)

- 10. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 11. Jamerson Memorial Library:** Please appropriate by consent and supplement \$1,982.47 to the Library budget for monies received from book replacement fees, donations and book sales.

7301-5401	Office Supplies	\$1,138.60
7301-5411	Books	808.87
7301-5414	Pamplin	35.00

- 12. Electoral Board/General Registrar:** Please appropriate by consent and supplement \$1,563.82 to the Electoral Board budget for funding received from the Federal Government.

1301-7001	HAVA	\$ 388.82
1301-7001	HAVA	1,175.00

- 13. Sheriff's Department:** Please appropriate by consent and supplement \$40.86 to the Sheriff's Department budget for reimbursement received from the Department of Justice.

3102-1002	Regular Overtime	\$40.86
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- 14. Sports Complex:** Please appropriate by consent and supplement \$44,615.15 to the Sports Complex budget to pay Pearson Construction for work completed.

7101-3002	Sports Complex Fund	\$44,615.15
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Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 15 – 19)

15. **Concord Volunteer Fire Department:** A thank you note has been received from the Concord Volunteer Fire Department of their annual donation.
16. **Appalachian Power Company:** Appalachian Power Company has filed notice with the State Corporation Commission that they are not seeking to improve wire charges for any of their Virginia Customers for calendar year 2006.
17. **Robert E. Lee Soil and Water Conservation District:** Minutes of the Robert E. Lee Soil and Water Conservation Districts Board of Directors Meeting held on June 16, 2005.
18. **Appomattox County Parks, Recreation and Tourism Department:** Ms. Dixon has prepared her report for July 2005 activities.

Mr. Carter stated the next item on the agenda was **Supervisor Concerns:**
There were no Supervisor Concerns to be presented at this time.

Mr. Carter next called **Ms. Jackie Drinkard, President of the Appomattox County Chamber of Commerce** to address the Board. Ms. Drinkard wishes to request that the Board endorse the liquor by the drink measure that the Chamber is attempting to get put as a referendum on the ballot in November.

Ms. Drinkard thanked the Board for allowing her to speak to them tonight. She began by saying that last week she sent out a notice asking the Board to support the Chamber's petition that is currently being circulated. The Chamber is asking for the Board's support to give the people the vote in November. They hope to get enough signatures on the petition to give the people the opportunity to decide whether or not they would like to have liquor by the drink in Appomattox County. The Chamber's whole purpose is to promote economic development. Tourism is a main thing here and that is one of the things the Chamber is all about. Of course, if we get nice restaurants and motels, etc. it will bring jobs to our locality, help strengthen our tax base. Ms. Drinkard also provided each Board member with a fact sheet pertaining to what this referendum would accomplish. She also stated that people are not staying in Appomattox for meals or lodging, but are going to Lynchburg or one of the surrounding counties that do have liquor by the drink. Our own citizens are doing the same. She concluded by saying that she urged the Board of Supervisors to support the Chambers effort to get this placed on the ballot for the November election.

Mr. Carter thanked Ms. Drinkard.

Mr. Conrad thanked Ms. Drinkard for her presentation. He also stated that we have, for a long time, talked about the importance of seeking revenue through our main interest, which seems to be tourism. This is not a thing necessarily about drinking, it is a thing that involves economic development. Even if this is placed on the ballot and is voted in, it does not mean we would have restaurants here tomorrow. We can put this off, like we did the water line, for years and let somebody else be concerned with it later after we grow a little more. It appears that once again, we are not putting the horse before the cart. We need to go forward and get something on the ballot so it can at least be recognized by the people as to whether or not that want it. By placing this on the ballot, the people would have spoken regardless of the outcome. He is in favor of supporting the referendum being placed on the November ballot.

Mr. Conrad made a motion, seconded by Shawn Armbrust, to have the Board of Supervisors support the referendum of liquor by the drink being placed on the November ballot.

Mr. Craft stated that this matter has been talked about for some time and he feels it should be placed before the citizens as to whether or not they want this for the County of Appomattox. He further stated that he personally would not try to tell anyone how to vote on this referendum but would urge them to vote their own conscience.

Mr. Armbrust stated he supported this referendum being placed on the ballot. If we do acquire a nice restaurant chain, or another hotel, it would all be better for the taxpayers.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

Monday, August 22, 2005

6:30 p.m.

Work Session

Old J & D. Courtroom

Monday, September 5, 2005

Holiday – Labor Day

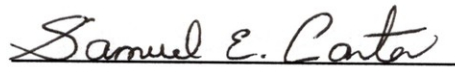
Tuesday, September 6, 2005

6:30 p.m.

Regular Scheduled Meeting

Town Council Chambers

At 7:20 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent).



Samuel E. Carter, Chairman

At 7:00 p.m. on Monday, August 15, 2005, the Appomattox County Board of Supervisors and the Appomattox Town Council held a Public Hearing in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: (Board of Supervisors)

Russell H. Moore – Piney Mountain District

PRESENT: (Appomattox Town Council)

Ronald Spiggle – Mayor
Marvin Mitchell
Norman Mayberry
Joyce Bennett
John Wilson
Lewis McDearmon

ABSENT: (Appomattox Town Council)

Steve Lawson

PRESENT: (Appomattox County Planning Commission)

Kevin O'Brien – Chairman
Steve Conner
AL Sears
Calvin Tanner
Jerry Hughes
Robert Johnson
Shannon Dews
Marvin Mitchell
Barry Morris
Bryan Baine

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
David Garrett – Town Manager
John K. Spencer, Jr. – Assistant County Administrator

Mr. Carter opened the public hearing and stated that the purpose of the public hearing was to receive comments on the proposed updated Zoning Map for the Town of Appomattox, which the Planning Commission intends to recommend for adoption, and the Board of Supervisors and Town Council intends to adopt.

Mr. Carter further stated that anyone that wished to participate was encouraged to do so. They should come forward, state their name and address for the record.

He then turned the meeting over to David Garrett, Town Manager.

Mr. Garrett presented the Town Zoning map stating that he had taken the map done in 1989, which was not considered to be user friendly, revised and digitalized the tax map parcel for the County, overlaid that with the ariel photography and colored accordingly to the 1989 revision. There were more than 25 parcels affected, a lot of areas of split zoning (A-1 & A-2) running through someone's property. They followed the property lines to eliminate this. Each parcel now has only one zoning code. No parcels had a complete zoning change. It has all been computerized so each parcel can be pulled up with the information as to the property owner, etc.

Mr. Garrett asked if there were any public comments.

Mr. Carter asked if the owners were notified prior to the changes being put into effect.

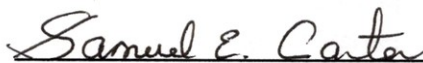
Mr. Garrett stated according to the State Code, if there were more than 25 parcels involved the best way to notify the public is to advertise a public hearing in a local newspaper for two weeks. The Planning Commission would then review this and present its recommendations to the Board of Supervisors and the Town Council.

Question was asked if someone did not read the newspaper or wasn't notified regarding the change, still thinking it was either or, is there any way they can come back to have this corrected, or would they have to go through the whole process.

Mr. Garrett explained that they would have to apply for a re-zoning.

Mr. Carter called for other comments or questions. There were no public comments received.

At 7:07 Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

On Monday, August 22, 2005, the Appomattox County Board of Supervisors held a work session at 6:30 p.m. in the Old Juvenile & Domestic Relations Courtroom located on Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District

William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT: Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer – Assistant County Administrator
Alice Rockefeller – Landfill Supervisor
William Slagle – Appomattox IDA
Wayne Lewis – Appomattox IDA

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation.

Mr. Carter stated there were eleven (11) items on the Agenda for tonight's discussion. He also suggested that they cover as many items as possible and still be able to adjourn at a reasonable hour, around 8:00 p.m.

1. **IDA – Progress Report on Concrete Plant:** Bill Slagle and Wayne Lewis gave a report on what was happening with the Lynchburg Ready Mix project and the IDA.

Mr. Slagle stated that Mr. Lewis has been working with Fred Kruschwitz, Bobby O'Brian, and all the parties involved and has done an excellent job.

Mr. Lewis stated that John Spencer had done a great deal of work on this project. Mr. Lewis presented a layout of the property. The lot contains approximately 12.6 acres at a cost of \$125,000.00 which the IDA felt was a good deal for both the IDA and Lynchburg Ready Mix. This allowed the IDA to give Martin Printwear a residual piece of property between this lot and the Transco Pipeline. It will also provide sufficient funds to pay for the road and utility extensions. The bids for the roads and utilities were received last Friday as follows:

Low Bid for Roadway -	\$116,800.00
Utilities	28,000.00
Survey of Property	600.00
Design	<u>6,760.00</u>
Total Expenditures	\$153,000.00

Mr. Lewis feels they are about ready to have the deed signed and recorded. They also need to work with the contractors on dates.

Mr. Carter complimented the IDA on accomplishing this project and feels it will be a great asset to the community as having another company come into the county.

Mr. Slagle stated that the road extension will serve some additional properties, not just the Lynchburg Ready Mix location.

Mr. Slagle also informed the Board that Region 2000 has sent us two (2) other prospects. Site visits are expected later in the month of September. About a year ago, he informed the Board about a company in Canada being interested in re-locating. They are still interested and hopeful.

Mr. Spencer had some good, exciting news. It appears we may have a visit from Governor Warner next month. He is very interested in the Mid-Atlantic Board Band project and plans to tentatively be in Appomattox County at the Industrial Park on September 21, 2005 from around 10:30 to 12:00 noon. This would be a photo opt with the Board Band and shovel some dirt. He is also very interested in seeing the Appomattox Center for Business and Commerce. Mr. Spencer is asking the Board members to keep that date open if possible.

2. Landfill – Update on Part B application and Closure of I and RFP - Hauling:

Ms. Rockefeller updated the Board on the Part B application that was submitted and was re-submitted in July. DEQ informed her today that this application was still deemed incomplete because we are lacking a variance that has to be applied for on the alternate liner design. She contacted Hurt & Proffitt to get an update on the status of this variance. They basically informed her that they have given up on DEQ helping them to do the variance and they have contacted their sub-contractors in Norfolk (HGR) and they are getting a price and a time frame on how long it would take this company to do the variance for them. She has informed Hurt & Proffitt to contact her before proceeding with a contract with the company.

Ms. Ferguson stated that this means the technical review will not start until the application is complete. This means that all the necessary documents are here, not that the documents are OK.

There was some question as to whether or not we should stay with Hurt & Proffitt. Ms. Ferguson explained that the County has issued an RFP for Engineering Services and have met with some firms and are presently in the process of looking at all of this.

There was a lengthy discussion regarding Hurt & Proffitt and just who was responsible for expenses incurred with the sub-contractor.

Ms. Ferguson recommended that Hurt & Proffitt be allowed to finish their negotiations and at the September 6, 2005 Board Meeting a recommendation would be made as to who Appomattox County needs to get for their engineering services. At that time, the Board could make a decision to hire another engineering firm and/or terminate Hurt & Proffitt's contract.

Ms. Rockefeller gave a brief report on the status of Closure Plan I. This plan technically is not complete.

The Solid Waste Management Plan that was due in July of last year has not been approved. One of the major reasons is the recycling rate. The State mandates that you should have a 25% rate. In 2000 we reported 6% and two weeks ago, DEQ approved our 23%. We are working on getting this recycling rate up. Ms. Rockefeller feels the approving of the Solid Waste Management Plan is within grasp.

3. **E-911 Progress Report:** Bobby Wingfield showed the Board what the New County Road Map would look like. The maps would be cut to normal sign and be folded like the state and county maps. Mr. Wingfield explained that there are also "Map Books" which will be placed in certain localities, the legend is done in a grid system. Mr. Wingfield also discussed the possibility of charging for these maps once they are available and the system is operable. He has checked with some surrounding counties on what they charge for their maps. Amherst County - \$2.00; Campbell County - \$5.00; and Bedford County- \$2.00. To reproduce these maps today the cost would be around \$1.25. He is asking the Board to decide on what amount, if any, should be charged for these maps. Judging from requests we have already received from UPS, DHL, and other companies doing business in the County, the present supply will not last long.

Ms. Ferguson asked if this charge would be for the average citizen or those persons just coming in off the street. The Fire, Sheriff's and Rescue Squads would be furnished these free of charge.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Craft, to place a cost of \$4.00 per map for the new County Road Maps. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Winfield stated that the State Road signs have been replaced, with the exception of few that have been knocked down recently. Also, those roads that the names were misspelled have been corrected. There are approximately 90 Private Road signs still to be put up. Also, the re-furbishing of the E911 Center is progressing well. There was some discussion regarding this building.

The deadline for submitting applications for the Communications Supervisor position will close on Friday, August 26, 2005.

4. **Old Appomattox Elementary School Building:** Ms. Ferguson stated that they have attempted to repair the roof on the Carver-Price Alumni Association part of the building. It is still leaking.

Also the Board needs to decide if they wish to apply for Historic Designation for this building. In so doing, you are opening up and allowing The Carver-Price Alumni Association as well as the County to apply for certain funding through Historic Preservation. There is a lot of work involved in completing the application as well as some restrictions once you accept funding on what renovations can be done.

Mr. Conrad stated that one of the things they we would need to utilize are grant funds.

Ms. Ferguson stated that she was not asking the Board to dwell on this issue too much tonight. HRH is looking at the whole building and what we can do and once they begin making suggestions and moving forward, the Board will have to determine how you want to proceed with this. That application is a very detailed

document. They want to know structurally how the building was built, what the foundation was made of, etc., and she feels this will involve a great deal of someone's time.

Mr. Conrad suggested that with the logistics of what is involved in this project, we will have requests that will amount to total gridlock. Ms. Ferguson is certainly intelligent enough to do this work, but with what she already has to do, she will not have the time to devote to this. He suggested that in order to grow and progress in situations like this, we may down the road, have to look at opening up a position for a Grant Writer that would be a specialist to do just this. Not only for this project, but also other project such as the Tobacco Commission Grants, etc. This person would study this stuff and therefore would eliminate some of the gridlock and overload that would result in the County Administrator's lap. Sometimes you have to spend money to save money. It appears that the Board is in agreement that we need to look into a Grant Writer Position. There are lots of grants available, but the Historic Preservation Grant is the best for this building, because that is what they are designed for – to preserve old structures.

However, we cannot separate that part of the school building from the rest of it in the eyes of the Historic Preservation. We will probably run into this same situation with the Old Courthouse building. If the building is not going to be used, putting it on the Historic Register would allow access to these funds. By having a Grant Writing Specialist, we could say, "You take this building and you tell us where we can get monies to fix it up, what are the best possible uses of this building". This person needs to be someone who deals with and can dedicate their time to working totally on grants.

Mr. Carter asked what the Board's pleasure was on having Ms. Ferguson develop a Job Description for the Position of Grant Writer. Then the decision could be made as to whether this would be a part-time or full-time person. The Board was in agreement with taking this route.

4. **Assistant Commonwealth Attorney Position:** Ms. Ferguson explained that Mr. Puckett would be able to get the salary within a range that his candidate for the position will consider, if the Board will approve a one time annual increase to his budget of \$4,000.00 to help get this position to a level where this gentlemen will accept it. Mr. Puckett has been able to work with the Compensation Board to come up with funding. The position was available on July 1, but he will not hire someone until September or October. The Compensation Board has also provided other funds. He is short the \$4,000.00. Ms. Ferguson asked Mr. Puckett about next year and he stated that Mr. Abbitt will help him get the position reclassified so that the Compensation Board will provide the whole salary.

There was some discussion about how heavy Mr. Puckett's work load is and if he really needs to have another individual. Also, we had to cut funds to other departments in this year's budget, so how do we justify this position.

Mr. Overstreet stated the most counties are presently trying to have the Commonwealth Attorney stay in Circuit Court and have assistants to handle Juvenile and General District Courts. In the past, the presence of the Commonwealth's Attorney was not required in the lower courts as it is today. He feels this practice is helpful.

Ms. Ferguson stated the Board did not have to debate whether or not he would get this position, the request to the Board of Supervisors is if we will provide the additional \$4,000.00.

It was the consensus of the Board of Supervisors not to fund this additional \$4,000.00 for the position of the Assistant Commonwealth's Attorney as requested by Mr. Puckett.

6. **Status of Old Courthouse:** This was discussed in connection with the Appomattox Elementary School.
7. **Status of Regional Jail:** Ms. Ferguson reminded everyone that they would be meeting with the Blue Ridge Regional Jail on Monday, August 29th, at 10:00 a.m. to feel them out and see where we can fit into the picture. There may be some avenue for us to participate with them right away considering some facilities changes that they have and were not aware of about six months ago. Ms. Ferguson will keep the Board informed of the outcome of this meeting.
8. **Health Insurance:** Ms. Ferguson stated she would like to clarify some things regarding the Health Insurance. The Board presently pays the Employee's Part of the Blue Care 300. This does not have a network of participating physicians. The employees are free to choose their own physician. Because the premium went up from \$341.?? to \$363.96, the School Board said they could not afford to pay that amount. Because they would not pay the full amount of the Blue Care 300, several options were discussed. It was determined that the employees be offered a dual option, the Blue Care 300 as well as another option, which we went with, the Key Care 500. This plan has a higher deduction and a higher out of pocket expense and there is a list of preferred providers. The lower of the two premiums is \$334.84 a month, for employee only. Anthem hoped the employees would go with the Key Care 500 because they felt this is a managed care insurance and is the better plan. After many meetings and many arguments, we decided to offer the dual options, and that the Board would pay the Key Care 500 employee premium which is \$334.84 a month because the School could not pay the full Blue Care 300 of \$363.96. Ms. Ferguson allowed in the budget a 11.3% increase in health insurance for all County employees, Sheriff's Department, Commonwealth Attorney, Treasurer, Commissioner of Revenue and all other county employees. What we are talking about is there is money in our budget to pay \$363.96 for all our employees. During the discussion process, and the budget process, Ms. Martin of the School Board, said "that because the Board of Supervisors reduced their budget so drastically, they are unable to pay the Blue Care premium on our employees and you all voted that you would not pay more for your employees than what we can pay towards our employees". This was presented to you, you confirmed that, so Ms.

Ferguson informed her employees that if they kept what they have, they would have to pay \$29.12 a month or go with the Key Care 500 and the County will pay the entire premium. Needless to say, she has some unhappy employees but she was able to justify this by stating everyone was doing this. Recently, Mr. Barry Elder, of the Social Services Department, visited her and proceeded to tell her that the Social Services Board voted to pay the Blue Care 300 premium (\$363.96) for their employees. When this information becomes general knowledge, there will really be a lot of unhappy employees.

Mr. Carter stated that about three years ago, it was agreed that all county employees would be treated the same, and what is good for one side of the street, should be good for the other side. It also appears that the County Administrator has budgeted for the increase in premiums, and the School Board did not take this into consideration. He feels the County Employees are being treated very unfairly.

Ms. Ferguson stated that in talking with Mr. Elder, he stated that his people were getting only a minimal raise and with the increase in health care premiums they would be getting no raise at all. She further stated that she has employees whose raises will not even cover the increase in health care. These employees will have to take the larger deductible and pay more out of pocket, thus creating more problems with collectors, garnishees, etc.

Ms. Ferguson suggested that she write a letter to the Social Services Director stating that the Board of Supervisors is displeased with the situation of the amount the Social Services Board has agreed to pay for the health insurance premiums for their employees.

The Board decided that Ms. Ferguson meet with Mr. Elder and Dr. Krug to discuss this issue before anything is done.

9. **Industrial Access Funds:** This will be discussed at the Regular Board meeting on 9-6-05.
10. **County Offices:** This will be discussed at the Regular Board meeting on 9-6-05.
11. **Mowing Contract:** Mr. Overstreet has written a Memorandum to the Board of Supervisors dated August 22, 2005 stating what he believes to be legitimate costs for which Ferguson Mowing should be reimbursed. He stated he had spoken with Mr. Thomas Lawson, Attorney for the Ferguson's, and they have struck an agreement. He will briefly discuss this and if it appears there will be any issues, they could then go into executive session for further discussion.
 - \$234.00 - Workman's Comp. Insurance (original amount \$750.00)
 - 663.00 - mulch (which now goes to the County)
 - 89.00 - Gasoline
 - 104.00 - mileage for vehicles

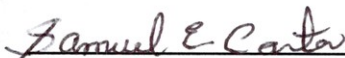
83.00 – lawn paper (which now goes to the County)
487.00 – labor
 \$1,660.00 - Sub-total

\$800.00 for truck rental was also submitted. Mr. Overstreet suggested this amount be split, rather than litigate.

+\$400.00
 \$2,060.00 TOTAL

Mr. Craft made a motion, seconded by Mr. Conrad, to accept the above settlement with Ferguson Mowing. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:10 p.m. motion was made and seconded to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Tuesday, September 6, 2005, at 6:30 p.m., the Appomattox County Board of Supervisors held its regularly scheduled meeting in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:
 Aileen T. Ferguson, County Administrator
 John G. Overstreet, County Attorney
 John K. Spencer, Jr., Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to give the invocation. Mr. Carter then asked those present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda.** There were no changes or additions.

Mr. Carter then called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen. Mr. Carter further stated the rules and guidelines for addressing

the Board. Speakers should clearly state their name and address. Speakers may not speak on any subject on the Public Hearing Calendar for the day. No individual citizen shall be permitted to address the Board for more than three (3) minutes. Mr. Carter then called the first speaker.

Ms. Pat Torrence, Route 2, Appomattox, VA. Ms. Torrence is expressing her displeasure of the Solid Waste Transfer Station to be located in Concord, Va. Ms. Torrence has given Ms. Ferguson a document in which she had listed several of her concerns. She stated that she feels like a lot of people in New Orleans, we have a major disaster in the County. She is not here to finger point at anyone, we are all equally to blame as the Board, in the poor decisions made concerning certain possibilities in Appomattox. She does not have all the answers but she does have some suggestions. The posting of Public Hearing notices should be given some additional attention. Approximately 5% of the residents in the area subscribes to the Appomattox and Lynchburg newspapers – that leaves 95% that have no idea of these hearings. She feels there are other avenues for getting this information to the public – postings in the Library, Grocery Stores, etc. She feels there are ample concerns and ample willingness to help out in anyway they can to rid our County of such mess. The citizens of Concord and the Citizens of Appomattox beg you to serve the best interest of all it's citizenry and forever remove transfer garbage sites.

Dennis Torrence, Route 2, Appomattox, VA. Mr. Torrence began by stating he appreciates what the Board does. In 1988 there was a request to place a garbage dump in the County. With approximately 5,500 signatures on a petition against this facility, the County pretty well decided that the citizens did not want a garbage dump or anybody's garbage, trash or anything. We did not want anything that smelled bad. From what he heard at last Wednesday's meeting, they offered to take all of our trash free. This is not exactly true. He feels with the 12 acres and the potential of acquiring two additional tracts, they will have the capacity to exceed the 1000 tons per day. If we have a transfer station that looks like a garbage dump, smells like a garbage dump, it probably is a garbage dump. He would like for someone to tell him what the citizens of Appomattox will benefit from this transfer station.

Mr. Frank Metz, 111 Stonewall Road, Concord, Va. Mr. Metz cannot see the benefit of having this transfer station located on Concord. He does feel it is safe to have all those trucks passing through the village of Concord each day. He also feels there is a big communications problem. He was told by his board representative last October that this would be a clean re-cycle cardboard facility. He is very disappointed in the decision made by this Board and by his representative.

Mr. Wayne Addie, Route 2, Concord, Va. Mr. Addie stated he moved from a dump to get in the country so he would not have to put up with landfill which Lynchburg put in his front yard, and you can believe him, it did smell. This facility will not be good for the community. Property values will decrease and it will just be a bad thing.

Mr. Carter closed the Public Comments Period and called **Mr. Danny Jobe – NESBE Cable** to address the Board.

Mr. Jobe introduced Mr. Danny Nofs with Jet Broadband. The reason they are appearing tonight is to talk about the pending sale of NESBE Cable to Jet Broadband. Mr. Jobe also presented a letter and draft resolution for the Board to consider that would take care of the legal side of this transfer of franchise and the letter will give you some background on Jet Broadband. Mr. Jobe is requesting that the Board consider the transfer of the franchise from Appomattox Cablevision to Jet Broadband. He and Mr. Nofs will be happy to answer any questions.

Ms. Ferguson asked if the resolution was a separate document.

Mr. Carter asked if this change over would incorporate the state of the art engineering aspects and if the programming would be pretty much the same.

Mr. Nofs made a few statements about the programming aspects of the new franchise. Of course, basic cable will still be available as well as additional programming if so desired. Jet Broadband has a solid financial backing with MCT Capitol, and they are planning to provide some upgrade to the facilities and add some more experience to the existing group of people who have already been providing your services.

Mr. Overstreet stated that it is his understanding from the franchise agreement that the Board has 120 days to make a decision, so the Board does not have to take action now. There may be some aspects that they need to discuss.

Mr. Jobe stated that time is of the essence, and they would appreciate the Board returning the Resolution as soon as possible.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1-4)

1. **Engineering Services for the Landfill:** The Committee composed of Supervisor Craft, County Administrator, Assistant County Administrator and the Landfill Supervisor has interviewed the engineering firms that submitted proposals for engineering services at the landfill. The committee has negotiated with a firm and will be presenting their recommendations to you for approval.

Ms. Ferguson stated they interviewed six firms and that they were all excellent firms. After their interviewing and asking questions and talking with them individually, the committee determined to recommend Draper-Aden. They are a Blacksburg firm and they do landfills exclusive and have extensive knowledge of our landfill as they had done a lot of background work prior to the interview. Their fees are very much in line with those we have already been paying. Ms. Ferguson is requesting the Boards approval to allow her to enter into a contract with Draper Aden once they have worked out a couple of issues that we have noted on the contract.

Mr. Craft made a few comments regarding this firm and how they have worked with other landfills.

After some discussion, Mr. Craft made a motion, seconded by Mr. Moore to approve Ms. Ferguson to sign the contract with Draper-Aden once Mr. Overstreet has reviewed said contract and several issues have been settled. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Historic Appomattox Railroad Festival Parade:** The Historic Appomattox Railroad Festival Parade Committee has asked if you wish to participate in the parade this year. If you wish to participate you need to decide if you will want to ride or walk.

After some discussion the Board decided to participate in the Railroad Festival Parade but would like to ride.

3. **CVCC Satellite:** We have been notified of some possible funding that will enable CVCC to move forward with the establishing of a satellite campus in Appomattox sooner than expected. There is still an issue of space for their campus. We are working on the possibility of scaling down the original project at the old elementary school and possibly moving this project forward. I have instructed HDH to do an intensive inspection of an area at the old elementary school that could be used now and provide cost estimates for the necessary work to get this project moving. The County Administrator would like permission to give CVCC the go ahead for locking in this funding if the cost estimates are within reason.

Mr. Carter stated he felt this was good news.

Ms. Ferguson stated that the fundings available were not for renovation of the building, but for everything they need to get data lines run and that type of improvements. The opportunity is there and hopefully we can get something up and running by next summer, if we can move ahead with this project. What we are doing is trying to get some cost estimates and if they seem reasonable, she would like to tell CVCC to go ahead with their application and we will help them work something out. We would then discuss funding and make the necessary repairs, etc. She does not want to imply that they are giving up on re-doing the entire third grade wing, but at the present time it makes more sense to go with a smaller area and do what is necessary while we are waiting for funding from CVBG that would help do the whole wing which CVCC will eventually occupy. The ultimate goal is for CVCC to occupy the entire wing which will give them more classrooms but in the beginning they can work with fewer classrooms and make a presence in the community which would allow them to see how well this will be received and give us a better picture as well.

Also this area is one we are having some problems with and we will need to address these issues in the near future, so we will be able to "kill two birds with one stone", plus once CVCC is able to move to the third grade wing, that part will already have been restored to be use for some other purpose. There are several good reason for moving forward with this project.

Mr. Conrad made a motion, seconded by Mr. Craft, to give Ms. Ferguson permission to move forward with the CVCC Satellite Campus at the Old Elementary School. VOTE: Mr.

Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Historic Appomattox Railroad Festival:** The Historic Appomattox Railroad Festival is requesting a Fireworks Permit for October 8, 2005. All appears to be in order.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the Historic Appomattox Railroad Festival's request for a Fireworks Permit for October 8, 2005. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 5 – 13)

5. **Approval of Minutes:** Please approve minutes of Joint Meeting with Town Council on 7/28/05; Regular Meeting on 8/1/05; Public Hearing on 8/15/05 – Memorandum of Understanding; Regular Meeting on 8/15/05; Public Hearing on 8/15/05 – Zoning Map for Town of Appomattox.

6. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

7. **Electoral Board/General Registrar:** Please appropriate by consent and supplement \$2,354.00 to the Electoral Board's budget to pay bills for the month of August 2005. This money will be reimbursed by the Federal Government.
8. **School Board:** Please appropriate by consent and supplement \$224,408.00 to the School Budget for funds left over in the FY2005 budget.

LINE ITEM TRANSFERS:

9. **Maintenance Budget:** Please transfer by consent \$2,060.00 from Operating Reserve to the Maintenance Budget to pay for landscaping.
10. **Community Development:** Please transfer by consent \$5,250.00 from Operating Reserve to Community Development budget to pay HDH for services provided in accordance with contract. These funds will be reimbursed by CDBG.
11. **Sports Complex:** Please transfer by consent \$5,000.00 from Appomattox Youth Sports donation to the Sports Complex Fund.
12. **Commonwealth Attorney:** Please transfer by consent \$4,496.00 from Health Insurance to Salaries under the Commonwealth's Attorney Budget.
13. **Board of Supervisors:** Please transfer by consent \$2,000.00 from Operation Reserve to Professional Services for the Old Elementary School.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as written. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 14 – 17)

14. **Appomattox County Schools:** Monthly financial report for the school system.
15. **Robert E. Lee Soil & Water Conservation District:** Minutes of Board of Directors meeting held on July 21, 2005.
16. **STEPS, Inc.** Thank you note from STEPS for contribution.
17. **Water Publication:** Publication provided by Draper Aden Associates for your information.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Armbrust stated he had some concern regarding the transfer station. He is concerned that at the meeting recently some things were said that were not presented at the original public hearing with the Planning Commission. He was a little disappointed in the way this was presented to the group meeting at the Sport Spring Ruritan Club. He feels the Board needs to look into some of these stipulations and see that they are addressed.

Mr. Craft has two (2) items to discuss. One was the letter he received referencing the Board Packets. He is wondering if this could be e-mailed to the two (2) libraries in the County. Maybe one or two people will read it.

He also has some concern regarding the transfer station. He suggested that we start putting up a sign stating that a certain piece of property will be rezoned, etc., as some of our surrounding counties do. He also suggested that the petitioner bear the cost of posting such notices.

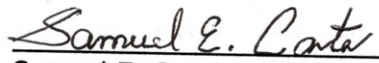
Administration has been discussing the need to place notice on site for any petition where re-zoning is necessary. This would involve an ordinance change and we have been reviewing all of the ordinances and make the necessary changes all at one time.

Mr. Carter next reminded everyone of the **UPCOMING MEETING:**

September 19, 2005
Regular Scheduled Board of Supervisors Meeting
6:30 p.m.
Appomattox Town Office

October 3, 2005
Regular Scheduled Board of Supervisors Meeting
6:30 p.m.
Appomattox Town Office

At 7:15 p.m., Mr. Moore made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, September 19, 2005, at 6:30 p.m., the Appomattox County Board of Supervisors held their regularly scheduled meeting in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
John G. Overstreet - County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation after which Mr. Carter asked everyone to join in the pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda**. There were no additions at this time.

At 6:33 p.m. Mr. Carter called for the **Citizen Comment Period**: This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens.

No one asked to address the Board.

Mr. Carter next called the **Appomattox Veterans Wall of Honor Committee** to address the Board: Mr. Craig L. Carroll and other members of the Appomattox Veterans Wall of Honor Committee will present their proposal for a wall of honor in Courthouse Square. This matter has been presented before. The project has been revised and expanded and a new committee has been formed to continue the work.

Mr. Craig L. Carroll stated they had two (2) things they wished to discuss with the Board. He began by stating that the American Legion in Appomattox County was formed in 1917 right after World War I. Mr. Carroll gave a brief history of how Appomattox began Post #104. Shortly after World War II, the Post had it first Honor Guard. A new Honor Guard was formed recently because for the past 34 years, Post #16 out of Lynchburg had performed the Honor Guard duties for Post #104. The Honor Guard consists of James (Buck) Owens, Keith Hamilton, Mike Lucas, Howard Gregory and Avery Dalton. Post #104 will have the honor of representing the State of Virginia and conducting the ceremonies at the Veterans Day Ceremonies at the Capitol.

It is his understanding that this memorial monument had been presented to the County at a previous date. When they were approached recently regarding this monument, they agreed to continue with this, but with some changes. The Wall of Honor will be dedicated to all veteran groups – anyone who has served their country. This would not

be a war monument. Money was never an object, it became a problem at the end. As of today, they have funds amounting to \$10,828.65. Each name will cost \$20.00. Information will include name, rank and branch of service. The cost will increase if someone wishes to add a name of a loved one at a later date. They are asking for a \$50.00 donation. All funds will go directly to the Farmers Bank. The remainder of the \$50.00 will help pay the costs for those families who cannot afford to pay this fee. They are also offering a walkway of honor for those who wish to make donations and do not have a veteran to be remembered. This would consist of an engraved brick (\$100.00 donation) and a granite stone (\$1,000 donation).

On the new design of the monument, there will be three (3) seals, the United States, the State of Virginia, and the County of Appomattox. They will probably use several different sources. This monument design will not take away from the Courthouse in any way. They are asking for a plot 20' x 40', which is more than adequate for the monument. The expected completion date would be approximately 6 to 7 months after receiving approval from the Board of Supervisors.

They are now changing their request to include a small stone in the same area to include the names of Law Enforcement Officers, First Responders – Rescue Squads and Fire Department members who have served at least two (2) years.

There was some question regarding the mature pine tree on the site. They are asking permission to have this taken down. No work will be done except by qualified, licensed contractors.

Mr. Carter asked Ms. Ferguson, Mr. Overstreet, Mr. Craft and Mr. Conrad to meet with the Committee to discuss these plans and get back with the group at a later date, preferably the 17th of October.

Also some members of the American Legion Auxiliary were present.

Mr. Carter next called **Bobby Wingfield, E-911 Coordinator** to address the Board. Mr. Wingfield will be providing an update on the progress of the E-911 construction project and make a request for a change order on the project.

Mr. Wingfield presented a change order for an additional gutter and downspout on the west side of the ERCC at a cost of \$423.50. This is located on the rear of the building at the entrance as well as the location of the heat pumps.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the change order for additional gutters and downspouts on the west side of the ERCC building at a cost of \$423.50. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson stated that this project was not on the same magnitude of the Courthouse by any means, but they are finishing up this project and have had only two (2) change orders for a little over \$1,000.00. This has been an excellent job on both Wiley &

Wilson's and Jamerson's part. Mr. Wingfield has held their feet to the fire and has followed the project through every step of the way.

They had a close out today with Wiley & Wilson on the building itself and there are only a few things on the punch block and he too feels both parties involved have done an excellent job. The furniture is being installed today, so the wiring can be placed.

The addressing is ongoing. We have had a steady growth in new housing. We have a split in the post offices in the County. Pamplin falls in Richmond area, Evergreen, Appomattox, Concord, Spout Spring, Gladstone all fall in the Charleston, West Virginia area. They are behind and the earliest we can start with changing over addresses will be November 1st with the Charleston area and October 1st with the Pamplin addresses, where we only have one route in Appomattox. Mr. Marzof, the Virginia Technology Officer in Richmond is very concerned, not only with us, but with other communities in Virginia as well. Verizon cannot act on anything until the Postal Service finishes their work.

We do not anticipate any equipment going in with Verizon until January 1st, 2006. They do not want to start any projects with technicians going on vacation in December. This will work out, as we will have a considerable amount of training to get done. We do not anticipate going on line until early in March, 2006.

Ms. Ferguson informed the Board that the E-911 Supervisor had been hired and she will begin her training now and will be available to help train the other employees as they are hired. The advertisement for Dispatchers will be going out in December and try to have them in place in January. We have also requested an extension on the State mandate.

Several members of the Board complimented Mr. Wingfield for the work he has done on the E-911 project.

Mr. Carter next called **Mr. Danny Jobe, Appomattox Cable Television, Inc.** to address the Board. Mr. Jobe has provided the information you requested at a previous meeting concerning the cable franchise. He is here to answer any questions you may have and request your approval to transfer the franchise to Jet Broadband.

Mr. Jobe stated he was here to answer any questions regarding the transfer of the franchise.

Ms. Ferguson said everything looked good to Mr. Overstreet.

Ms. Craft stated that a couple of years ago, there were some programming changes and an increase in cost, that he was not very satisfied with.

Mr. Jobe stated that sometime they are obligated to add channels for package groups that they already have a contract with. If they do not want to carry the programs, they had to pay for them anyway.

Mr. Armbrust asked if Mr. Jobe would still be associated with the new franchise. The reply was yes, he will continue to improve on the services that they offer.

Mr. Carter thanked Mr. Jobe for his continued service to the County.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Craft to approve the following resolution:

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **ADMINISTRATIVE ITEMS:** (Items 1 – 3)

1. **Request for Use of Courthouse Square, the Courthouse Parking Lot and Courtland Field:** The Town of Appomattox is requesting permission to use Courthouse Square, the Courthouse Parking Lot and Courtland Field on October 8 and 9, 2005 for activities in conjunction with the Railroad Festival.

Since this has been allowed in the past with no major problems and they do provide their own insurance, Mr. Craft made a motion, seconded by Mr. Moore, to allow the Town of Appomattox use of Courthouse Square, the Courthouse Parking Lot and Courtland Field on October 8 and 9, 2005 in connection with the Annual Railroad Festival. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes.

2. **Meeting with the Treasurer and Commissioner of Revenue:** A meeting with the Board of Supervisors, the Treasurer and the Commissioner of Revenue needs to be scheduled to discuss issues involved with the Personal Property Tax Reimbursement from the State. They will both be available the week of October 17, 2005. Also, Ms. Ferguson is working on a request for proposal for professional services for the next re-assessment.

The Board by consensus agreed to schedule this meeting for October 18, 2005 at 6:30 p.m. in the Old J & D. Courtroom. A special meeting notice will need to be issued.

3. **Brunswick County Challenge:** We have received an e-mail informing us that Brunswick County has voted to donate \$25,000.00 to the Hurricane Katrina relief fund. They are challenging all Virginia localities to make some kind of commitment. Sheriff Staples and the County Office Staff are collection items to try to help victims of the hurricane.

Mr. Carter stated that since the Sheriff's Office and the County Office Staff are already collecting for this cause, he knows we would like to do more, but right now, he does not feel this is possible.

Mr. Moore feels we have enough problems meeting our present obligations. He feels that if our citizens wish to make contributions on a voluntary basis, this is well and good.

Mr. Overstreet reminded the Board that we are a Dillion Rule State and we have to be authorized by State Law to take taxpayers money and sent it out of state. The only thing he can find in the State Statute is a donation to Charitable Associations and non profit organizations located within the respective limits. (In Appomattox County or outside the County, if said institution provides services to the County).

The Board by consensus decided not to accept this challenge and leave the donating to the Katrina Hurricane Relief to individual County Residents.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 4 – 9)

4. Approval of Bills: Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

5. Electoral Board/General Registrar: Please appropriate by consent and supplement \$375.00 to the Electoral Board's budget to pay bills for the month of September, 2005. This money will be reimbursed by the Federal Government through HAVA funding.

6. Library: Please appropriate by consent and supplement \$595.94 to the Library budget for funds received for book replacement fees, donations, and book sales.

7301-5401 – Office Supplies	\$346.42
7301-5411 – Books	135.20
7301-5414 – Pamplin	114.32

FUND TRANSFERS:

7. Sports Complex Fund: Please transfer by consent and supplement \$1,222.88 to the Sports Complex Fund budget to pay Pearson Construction for work at the community park.

7101-3002 – Professional Services	\$1,222.88
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LINE ITEM TRANSFERS:

8. Board of Supervisors: Please transfer \$1,713.41 from operating reserve in the Board of Supervisor's budget to Maintenance & Telephone Repairs.

Delete – 1101-5804 – Operating Reserve	\$1,713.41
Add – 1101-3004 – Repairs & Maintenance	\$1,668.48
1101-3020 – Telephone Repairs	44.93

Mr. Craft made a motion, seconded by Mr. Moore, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **INFORMATIONAL ITEMS:** (Items 9-12)

9. Court Case on new courthouse: We have been informed by L. Lee Byrd, the County's Attorney for the courthouse case, that Judge Poston is asking that the final hearing be set to end this litigation.

10. Region 2000 Local Government Council: We have received the Amendment to the Charter changing the name of Region 2000 Planning District Commission

to Region 2000 Local Government Council. We have also received the Spring 2005 regional Newsletter and the 2004-2005 Annual Report.

11. **Appomattox County Public Schools:** Monthly financial report for the School System for the month of August, 2005.
12. **Appomattox County Parks, Recreation & Tourism Report:** Ms. Dixon has provided the August 2005 report for Parks, Recreation & Tourism. Also, provided is a Fall Recreation Department Schedule of events and activities.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Conrad discussed the problem at the dumpster site on Route 604. Trash seems to be dumped outside the containers. Also, the transfer trucks are loosing trash along the roadway as the tarps are not fitting tight enough.

Mr. Armbrust stated there are also problems with people pulling trash out of the dumpsters at the Route 648 site.

Mr. Moore commented there are also problems at the Oakville site with appliances, larger household items being left outside the bins. There is also a problem with people not putting cardboard in the proper containers. This seems to be a county wide problem.

Also, Mr. Moore made a few comments regarding the upkeep of the County Gateway signs. He will take care of the sign on Route 26 at Bent Creek.

Mr. Craft had a few questions regarding the Regional Jail.

UPCOMING MEEETINGS:

October 3, 2005

Regular Scheduled Board of Supervisors Meeting

6:30 p.m.

Appomattox Town Office

October 17, 2005

Regular Scheduled Board of Supervisors Meeting

6:30 p.m.

Appomattox Town Office

October 20, 2005

Region 2000 Regional Dinner

5:30 p.m.

Appomattox County High School

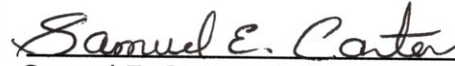
October 24, 2005

Joint Meeting with the School Board

6:30 p.m.

School Board Conference Room

At 7:40 p.m. Mr. Moore made a motion, seconded by Mr. Armbrust, to adjourn.
VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, October 3, 2005 the Appomattox County Board of Supervisors held their regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to give the Invocation. Everyone present was then asked to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then asked for the **Setting of the Agenda:**

2A. Wall of Honor: Move from Item 14.

2B. Resolution of Support for Route 47: Designating Route 47 as a Scenic By-Way.

Mr. Carter stated the next item on the agenda was the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one present wished to address the Board at this time.

Mr. Carter then called **Bobby Winfield, E-911 Coordinator** to address the Board. Mr. Winfield would like to request approval of the purchase of Emergency Call Center Dispatch Communications System.

Motorola's MCC 5500 Dispatch Console system proposal provides software and hardware required to meet our combined dispatch system design. The system design provides three new Motorola MCC 5500 Dispatch Console operator positions. The MCC 5500

Dispatch Console operator positions will be integrated with 911 as required. The total bid price for Motorola with Elecom installation is \$171,330.59. There were two (2) other proposals received and Elecom was the low bid.

Also, in order to continue to receive Homeland Security grant funds Appomattox County must adopt the National Incident Management System (NIMS) for its disaster and emergency management processes as well as daily operations protocol. At present, Bobby Wingfield and Freddy Godsey are taking the NIMS training. The County Administrator is asking that you adopt the enclosed resolution adopting the NIMS disaster and emergency management processes and daily operations protocol.

Mr. Wingfield asked if anyone had any questions regarding the Motorola statement of work. Also, the NIMS is something that every County in the Commonwealth will have to adopt to receive Homeland funds. It is an ongoing process that not only involves the County governments, but also the Volunteer Fire and Rescue operations and well as law enforcement.

There was a question regarding the agreement with Motorola on the equipment. Mr. Wingfield explained that Mr. Overstreet has this agreement for review and we will also receive our first year maintenance at no charge. We will have a maintenance agreement as well as a software agreement.

Mr. Wingfield also informed the Board that Libby Ashby has been hired at the E-911 Supervisor and started in this position today.

After some discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to accept the Contract for the Motorola MCC 5500 Dispatch Console system with Elecom at a cost of \$171,330.59. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft then made a motion, seconded by Mr. Conrad, to adopt the following Resolution for the Adoption of the National Incident Management System (NIMS):

RESOLUTION FOR THE ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

WHEREAS, the Board of Supervisors of Appomattox County, Virginia, does hereby find as follows:

WHEREAS, The President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the county's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes,

WHEREAS, the Incident Command System components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of Appomattox County, Virginia, that the National Management System (NIMS) is established as the Appomattox County standard for incident management.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called **Ms. Alice Rockefeller, Landfill Supervisor**: Ms. Rockefeller is requesting that the Board adopt a resolution formally adopting the Solid Waste Management Plan for Appomattox County, the Town of Appomattox and Pamplin City.

Also, the Board needs to approve the Supplement to the Solid Waste Management Plan that addresses our Recycling Action Plan. (See Board File)

Ms. Rockefeller explained why the County needs to address this issue. This plan which was first called to the Board's attention in June of 2004, includes the Recycle Actions as to what you plan to do, and what you are doing now, and how you plan to meet the 25% mandated recycle rate. In order to get the Solid Waste Management Plan approved, we need to have the 25% recycle rate or this Recycle Action Plan. DEQ is currently approving plans because they see that we are saying we don't have our 25%

but these are the actions we plan to take and our goal is to meet that 25% within two (2) years.

It does add some additional work but we are currently doing most of it already.

Ms. Rockefeller also stated that there was quite a bit of wood and metal that is pulled out of the green boxes when they are processed through the baler.

After a lengthy discussion, Mr. Armbrust, made a motion, seconded by Mr. Moore to approve the following resolution:

**RESOLUTION APPROVING THE SOLID WASTE
MANAGEMENT PLAN FOR THE APPOMATTOX COUNTY REGION**

WHEREAS, the Virginia Department of Waste Management has required updating of existing solid waste management plans; and

WHEREAS, The Region has made significant strides with regard to improving solid waste disposal and collection, and recognizes the necessity of a cooperative effort to meet the 25% recycling rate mandated by the Commonwealth and provide for the safe, efficient and environmentally sound disposal of solid waste throughout the County;

NOW, THEREFORE, BE IT RESOLVED, by the Appomattox County Board of Supervisors on this 3rd day of October, 2005, that Appomattox County hereby approved the Solid Waste Management Plan for the Appomattox County Region as revised per public comments received on June 21, 2004.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Armbrust also made a motion, seconded by Mr. Conrad, to approve the Supplement to Solid Waste Management Plan addressing Recycling Action Plan dated September 28, 2005. (see Board File)

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **ADMINISTRATIVE ITEMS:** (Items 1-2)

1. **Work Session for Six Year Plan:** Don Austin with VDOT is requesting that we schedule a work session to review the proposed Six Year Plan. If it is agreeable, the work session could be held either before or after the regular meeting on November 7, 2005.

It will be necessary to schedule a date for the Public Hearing on the adoption of the Six Year Plan. Mr. Austin has suggested December 5, 2005 at 6:00 p.m.

The Board by consensus agreed to hold a Work Session with VDOT on Monday, November 7, 2005 at 6:00 p.m. to discuss the proposed Six Year Plan.

The Board also agreed to hold a Public Hearing on the Six Year Plan on Monday, December 5, 2005 at 6:00 p.m.

- 2. VACo's 2006 Legislative Program:** VACo has sent us a draft of the 2006 Legislative Program. If you have any comments or wish to add anything to the legislative program, please submit your recommendations/comments on October 3, 2005.

Mr. Conrad commented that he wanted to make sure that the Board was clear regarding the section on Eminent Domain. Based on what he had read, they are a little more in line with what we were looking at than they originally were. Let's face it, the Eminent Domain situation in Connecticut, was certainly planned to favor the locality but not the landowner. We do not want to take away the landowners ability to express his desire to keep his property. We really need to make sure that this is what this section means.

There were no additions or changes regarding the VACo 2006 Legislative Program.

Also the Boards needs to designate Mr. Craft to cast our vote at VACo's Annual Business Meeting in November.

Mr. Moore made a motion, seconded by Mr. Conrad, to appoint Mr. Willie Craft as Appomattox County's representative and cast our vote at the Annual Business meeting on November 15, 2005. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Carter, aye; and Mr. Craft, abstained. (4 aye votes – 1 abstain)

- 2A. Wall of Honor:** Mr. Conrad, Mr. Craft, Mr. Overstreet and Ms. Ferguson plan to meet with the Committee for erecting the Wall of Honor and anticipate making a recommendation to the Board at tonight's meeting.

Mr. Craft explained that the first thing the Wall of Honor Committee wanted to do was erect a monument containing approximately 4000 names. They would like to make this 20' x 40' but could reduce it to 15' x 40'.

Mr. Armbrust asked about issues including insurance, etc., to which Mr. Overstreet replied that we need to look into these things. Mr. Overstreet sees this as a two step process. One is if the Board is going to endorse this concept as to size, space and what we want there. The other being how are we going to actually accomplish having the construction take place, what role we will take. Is the Board going to aggregate it's authority and control over County property or just say they can come in and put what they think is good here. The County does have an obligation to oversee what is going on and take care of any legal issues that may arise.

The Board by consensus endorses the concept of the Wall of Honor, but after much discussion, decided to table taking action on this until a later date. Also, the Committee needs to clarify some concerns the Board has at this time.

- 2B. Resolution of Support for Route 47:** Ms. Dixon has submitted a resolution designating Route 47 in Appomattox County as a Scenic Byway.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the following resolution:

**RESOLUTION OF SUPPORT
DESIGNATE ROUTE 47 AS SCENIC BYWAY**

WHEREAS, Section 33.1-62 of the Code of Virginia authorizes the Commonwealth Transportation Board to designate any highway as a "Virginia byway," and

WHEREAS, Section 33.1-63 of the Code of Virginia defines a "Virginia byway" as a road having aesthetic or cultural value, leading to or within areas of historical, natural, or recreational significance, and

WHEREAS, the Virginia Department of Transportation has established the following criteria for roads to be designated as Virginia byways:

1. The route provides important scenic values and experiences.
2. There is a diversity of experiences, as in transition from landscape scene to another.
3. The route links together or provides access to scenic, historic, recreational, cultural, natural, and archeological elements.
4. The route bypasses major roads or provides opportunity to leave high speed routes for variety and leisure in motoring.
5. The route allows for additional features that will enhance the motorist's experience and improve safety.
6. Landscape control or management along the route is feasible.

WHEREAS, the Appomattox County Board of Supervisors believes that the road proposed herein of designation as a Virginia byway meet the criteria, and

WHEREAS, it is the sense of the Board that such designation should not limit roadway Maintenance or improvements by the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors requests that the Commonwealth Transportation Board designate the following state road as a Virginia byway.

Route 47 from the Prince Edward County Line into Appomattox County ending in Pamplin, Va on Route 460.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 3-13)

3. Approval of Minutes: Please approve minutes of Work Session of August 22, 2005; and Regular Meeting of September 6, 2005.

4. Approval of Bills: Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

5. Building Department: Please appropriate by consent and supplement \$56.00 to the Building Official's budget for reimbursement received from a contractor for the purchase of a code book.

6. **Animal Control:** Please appropriate and supplement by consent \$20.00 to the Animal Control budget for a donation received from a citizen.
7. **Fire Program Funds:** Please appropriate and supplement by consent \$10,875.00 divided equally between 3202-5605-Contributions - Pamplin Volunteer Fire Department and 3202-5608-Contributions - Appomattox Volunteer Fire Department for additional Fire Program Funds received.
8. **County Administrator:** Please appropriate and supplement by consent \$411.74 to the County Administrator's budget for refund received from Verizon.
9. **Landfill:** Please appropriate and supplement by consent \$500.00 to the landfill budget for a safety grant reimbursement from VML Insurance Programs.
10. **Planning Commission Budget:** Please appropriate and supplement by consent \$89.40 to 8104-3007 for reimbursement from the Town of Appomattox for advertising.
11. **Sheriff's Department:** Please appropriate and supplement by consent reimbursements received from various sources:

3102-1002 Regular Overtime	\$ 81.72
3301-5404 Medical Lab Supplies	166.23
3102-5504 Sheriff's Association Meeting	25.00

LINE ITEM TRANSFERS:

12. **Economic Development:** Please transfer by consent \$5,000.00 from 1101-5804 Operating Reserve as follows:

8105-6011 Tobacco Grant Training Center	\$2,000.00
8105-6013 Community Development Block Grant	\$3,000.00

 These monies should be reimbursed from the Tobacco Grant and Community Development Block Grant.
13. **E-911:** Please transfer by consent and appropriate \$2,000.00 from 1101-5804 Operating Reserve to:

Emergency Services:	
3605-1003 Part-time Salaries	\$974.22
3605-2001 FICA	74.49
County Administrator:	
1201-7001 Equipment	\$951.29

Mr. Moore made a motion, seconded by Mr. Craft to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called attention to the **INFORMATIONAL ITEMS:** (Items 14-18)

14. **Candidates for Governor – Proposed Real Estate Tax Relief Plans:** VACo has provided a copy of the candidates for Governor proposed tax relief plans.

15. **Water Project:** David Garrett and Ms. Ferguson met with the CCUSA to begin negotiations on water rates. In order to get this figure some additional engineering work will need to be done. CCUSA is paying half of the cost for this work and is requesting the other half to be paid by Appomattox County and the Town of Appomattox. The cost to each of the localities is \$3,750.00. These funds are already available in the budget; therefore no additional funds are being requested.
16. **Town of Appomattox Agenda:** Town Council agenda for the September 27, 2005 meeting.
17. **Financial Report for the Evergreen Music Festival:** Mr. & Mrs. Swanson have provided an accounting of proceeds received from the Evergreen Music Festival held on September 3, 2005. A donation was made to the Appomattox County Rescue Squad in the amount of \$1,025.00 resulting from this event.
18. **Robert E. Lee Soil & Water Conservation District:** Minutes from the Robert E. Lee Soil & Water Conservation District Board of Directors meeting held on August 25, 2005.

Mr. Carter then asked if there were any **Supervisor's Concerns:**
There were no Supervisor's Concerns at this time.

Mr. Carter reminded everyone present of the meeting Monte Mays would be holding on October 4, 2005 at the Appomattox Community Center at 7:00 p.m.

Ms. Ferguson will contact the Board Members of the time and place to meet prior to the Railroad Festival Parade on Saturday, October 8, 2005.

UPCOMING MEETINGS

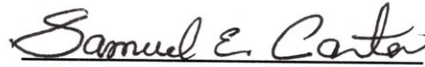
October 17, 2005
Regular Board of Supervisors Meeting
6:30 p.m.
Appomattox Town Office

October 18, 2005
Work Session – Board of Supervisors
6:30 p.m.
Old J & D Courtroom

October 20, 2005
Region 2000 Regional Dinner
5:30 p.m.
Appomattox County High School

October 24, 2005
Joint Meeting with the School Board
6:30 p.m.
School Board Conference Room

At 7:58 p.m. Mr. Moore made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, October 17, 2005 at 6:30 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint meeting and public hearing in Council Chambers at the Appomattox Town Hall located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation after which he invited everyone present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

Mr. Carter next called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Mr. Carter next moved to the **ADMINISTRATIVE ITEMS:** (Items 1-2)

1. **Use of County Seal:** The Appomattox Woman's Club is requesting permission to use the County Seal on a fund raising project. This project involves the seal to be engraved on a jewelry item and sold by the Woman's Club.

They have used the seal before on an afghan to raise money for one of their projects.

After a brief discussion, Mr. Moore made a motion, seconded by Mr. Armbrust, to approve the Appomattox Woman's Club's request to use the County Seal on jewelry

items to be sold as a fund raiser. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Request for Resolution of Support:** Prince Edward County is requesting that you pass a resolution supporting a grant application for a Transportation Enhancement Grant for the High Bridge Trail State Park project.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the following resolution:

**RESOLUTION OF SUPPORT
TRANSPORTATION ENHANCEMENT GRANT
HIGH BRIDGE TRAIL STATE PARK**

WHEREAS, in accordance with Commonwealth Transportation Board procedures, resolutions of support from local governments may supplement Transportation Enhancement Grant applications; and

WHEREAS, Norfolk Southern Corporation is abandoning approximately 33 miles of railroad from Burkeville, Virginia to Pamplin City, Virginia, partially located in the Counties of Appomattox, Cumberland, Nottoway and Prince Edward and the Towns of Burkeville, Farmville and Pamplin; and

WHEREAS, Norfolk Southern Corporation is donating the abandoned railroad corridor to the Commonwealth of Virginia Department of Conservation and Recreation for the purpose of creating a rails-to-trails linear state park; and

WHEREAS, the creation of *High Bridge Trail State Park* enables the abandoned rail corridor to become an outdoor recreational and heritage tourism opportunity, and protects the future of High Bridge, a nationally and historically significant railroad bridge structure; and

WHEREAS, *High Bridge Trail State Park* creates new economic and outdoor recreation opportunities for citizens of the Commonwealth and the Counties of Prince Edward, Cumberland, Appomattox and Nottoway and the Towns of Farmville, Burkeville, Pamplin and the villages of Rice and Prospect; and

WHEREAS, the Virginia Department of Conservation and Recreation has applied for Transportation Enhancement funding for the construction of bridge decking and trail surfacing along the trail corridor;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Appomattox, Virginia wholeheartedly supports the Transportation Enhancement Grant application of the Virginia Department of Conservation and Recreation; and

BE IT FURTHER RESOLVED, that the County of Appomattox hereby understands that the Virginia Department of Conservation and Recreation will serve as fiscal agent for this project and requires no local matching funds from the localities.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for the **CONSENT AGENDA:** (Items 3-9)

3. **Approval of Minutes:** Please approve minutes of the Regular Meeting held on September 19, 2005 and Regular Meeting held on October 3, 2005.
4. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

5. **Asset Forfeiture Account:** Please appropriate by consent \$5,122.00 from the Commonwealth's Attorney's Asset Forfeiture Account to purchase office furniture.
6. **Board of Supervisors:** Please appropriate by consent and supplement \$414.00 to 1101-3020 for telephone repairs made by Dominion Voice and Date.
7. **Building and Housing:** Please appropriate by consent and supplement \$60.50 to 3401-5411 for reimbursement received from a citizen.
8. **Library:** Please appropriate by consent and supplement \$425.42 to 7301-5401 and \$55.65 to 7301-5411 in the Library Budget for funds received for book replacement fees, etc.
9. **School Board:**
Please appropriate by consent and supplement \$117,598.75 as a transfer from the School Textbook Rental Fund for October 2005.

Please appropriate by consent and supplement \$3,835.66 to the school budget for reimbursement received from Virginia Department of Medical Assistance Medicaid.

Please appropriate by consent and supplement \$28,738.00 to the school budget for reimbursement received from Virginia Tobacco Settlement Foundation Grant.

Please appropriate by consent and supplement \$862.13 to the school budget for reimbursement received from retirees for health and dental premiums for the months of August and September 2005.

Please appropriate by consent and supplement \$38,789.06 to the school budget for funds received from 21st Century Learning Grant.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:** (Items 10-11)

10. **A Local Perspective of Real Estate Tax Relief:** Pamphlet received from VML concerning real estate tax relief.
11. **Appomattox County School Financial Report:** Schools monthly financial report for the month of September.

Mr. Carter next called for **SUPERVISOR CONCERNS:**
There were no Supervisor Concerns at this time.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

October 18, 2005
Board of Supervisors Work Session
6:30 p.m.
Old J & D Courtroom

October 20, 2005
Region 2000 Regional Dinner
5:30 p.m.
Appomattox County High School

October 24, 2005
Joint Meeting with the School Board
7:00 p.m.
School Board Conference Room

November 7, 2005
Board of Supervisors Regular Meeting
6:30 p.m.
Town Office

Mr. Carter called for a brief recess prior to holding a Public Hearing.

At 7:28 Mr. Carter re-convened the Board meeting.

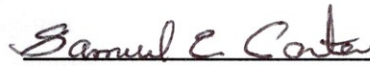
Ms. Dixon, Director of Appomattox County Parks, Recreation and Tourism Development has asked for guidance with the use of the gym at the Old Elementary School. Recently she has received requests from groups or individuals asking to use the gym. In the last year, the only groups to use the gym have been County recreation programs that are supervised by her, the Appomattox 4-H Club, or the Appomattox Youth Sports program.

Many individuals and groups are asking to use the gym that do not have insurance, and there is no one to supervise them or unlock and lock the doors. There is no custodian or maintenance personnel to clean or fix maintenance problem when they occur. Also the gym does need to be renovated. The bathroom is not in very good working condition, ceiling tiles fall occasionally and the floors need to be stripped and refinished. All these create a liability issue as well. She is suggesting that in the future the use of the gym be handled in the same manner as the Community Center rentals. Individuals

or groups wishing to use the facility would fill out an application and they would pay a fee of \$20.00 an hour. Ms. Dixon would then have a rental agent unlock and lock the gym. The revenue collected would pay for the rental agent and someone to clean the gym on a regular basis.

The Board by consensus agreed to follow the same policy for the use of the gym at the Old Elementary School as that in use with the Community Center with a few minor additions and changes, such as: use of tennis shoes on the gym floor.

At 7:29 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

At 7:00 p.m. on Monday, October 17, 2005 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Al Sears
Jerry Hughes
Robert Johnson
Marvin Mitchell
Calvin Tanner
Barry Morris
Shannon Dews
Steve Conner
Brian Baines

ABSENT: (Planning Commission)

Kevin O'Brien

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney

John K. Spencer, Jr. – Assistant County Administrator

At 7:00 p.m. Mr. Carter called the Public Hearing to order and read the following:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held in the old J & D Courtroom immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then asked Mr. Spencer to read the first petition.

Mr. Spencer then read the only petition to be heard:

#05-557 – Gary Warner: The applicant, acting on behalf of MKGCGWVA, L.L.C., is requesting to rezone 57.41 acres located on Stratton Dairy Road (Route 713) between Stonewall Road (Route 608) and the terminus of Stratton Dairy Road (Route 713) from Agricultural District A-1 to Residential District R-1 in order to develop a single-family residential subdivision. The subject property is identified as Tax Map Numbers 47(A)36 and 47 (A)37.

Mr. Spencer called for comments for this petition.

Mr. Gary Warner, the applicant came forward. Mr. Warner stated the petition was pretty simple and straight forward. The present zoning is agricultural which allows one family residence per acre but does not restrict mobile homes, you can basically put anything you want on it. They are petitioning to re-zone to Residential R-1 for the fact that it does give some restrictions for building.

Mr. Spencer next read a letter received from **Joel and Debra Dawson, Route 2, Box 27R, Concord, Va. 24538** to the Department of Community and Economic Development of Appomattox County, opposing this petition.

Gentlemen:

I am writing this letter in response to the Notice of Joint Public Hearing for the rezoning request of Gary Warner, acting on behalf of MKGCGWVA, L.L.C. I would very much like to attend the hearing, but cannot as I will be out of town on the date it is scheduled.

The request to rezone 57.41 acres on Stratton Dairy Road would allow for the development of a single family residential subdivision on land that is currently zoned for agricultural use. While I am not opposed to residential development for land in the county, I am concerned about the type of residential development that seems to be prevalent in this area of the county. In recent years, several large pieces of property have been subdivided and either very small houses or double-wide manufactured homes

have been placed on the lots. This type of development may initially bring new residents to the county but it does not significantly increase county revenues due to the value of the homes and due to this type of development generally depreciating in value over time rather than increasing in value. It also does not improve the property values of other homes in the immediate area.

My understanding is that if approved, the proposed subdivision would be allowed to have lots as small as one (1) acre with potentially as many as fifty (50) lots. If this trend continues, I have strong concerns for the availability of adequate water supplies for this and other future developments since all of the new homes would have to be supplied by wells. With no public water supply in this area and in light of the recent dry weather and drought conditions in recent years, what level of density is feasible for new developments? Also with no public sanitary sewer available in this area, when septic systems begin to fail in the future, how will those needs be met if the lots are not large enough for the installation of additional drain fields?

As you consider this request, I urge the members of the Board of Supervisors and the Planning Commission to consider what type of development they would like Appomattox County to be known for. Should our county be known as a place of congested development with declining property values or a place of moderate growth where appropriate sized development will attract similar development in the future. Finally, as you consider this request and others for development in the county, you look at the growth of counties around us and ask yourselves what are they doing differently and why they continue to grow?

Respectfully,
Joel Dawson

Mr. Spencer asked if anyone else wished to speak against this petition?

Ms. Kay Bondurant, Rt. 2, Box 506, Appomattox, VA: Mrs. Bondurant stated that the zoning has the farmers between "a rock and a hard place". They want larger lots but we want firm foundations. She does not know what the answer is but feel we need to go back to the drawing board. Tonight she wants to talk about respect. Stonewall offers a majestic view of the Blue Ridge Mountains. Over the past few years, that view is diminishing because we have allowed little homes on little lots that just keep popping up. She has always enjoyed living in Stonewall and it is not as pretty as it once was. The second thing is respect for the landowners around this proposed zoning. Farming is a way of life. Generations of our forefathers have farmed and when a farm is in operation, there are going to be different smells throughout the year. Manure is a fact of life, it is what we use for fertilizer on our fields. Last, she would like for you to think about respect for truths, honesty and integrity. In this, she is talking about conflict of interest, she is not pointing any fingers, but we have relatives on the Board and we have situations on the Planning Commission with realtors or family members who are realtors. She does not feel these people should have a vote on this situation because they are too close to the situation. Thank you.

David Stratton, Route 2, Box 27B, Concord, VA: Mr. Stratton stated he is a 5th generation farmer and has farmed this land all his life. He helped clear this piece of

land and there is no way it would support fifty (50) wells or sewage systems. If this request is approved, what will happen if problems develop later on when there is no water on these lots or there is no water on his property - Who is responsible for this? Are there any back-up plans? The land may support one dwelling per five (5) acres. He is totally opposed to one (1) acre lots.

Michael L. Culpepper, 51 Berkshire Drive, Lynchburg, VA: Mr. Culpepper agrees with Mr. Stratton. It would be a disaster if they are allowed to divide this property into one (1) acre lots. He also agrees that five (5) acre lots would be best.

Thomas Schmutz, Route 2, Box 87, Concord, Va.: He is opposed to placing 57 houses on 57 acres of land right next to a dairy farm. He does not dairy farm and he does not live near these people and is not related to them. We all know that cows moo at five o'clock in the morning when milking time arrives, this will bother some people. There are also flies associated with cows and there are barbed wire fences that people can get cut on and electric fences where people can get shocked on. This property is not conducive to a sub-division with fifty some homes. Farming operations create complaints. There may also be water problems. At some point, a water line will have to be run from Concord to the development, who is going to pay for this? Common sense says you should not approve this petition for fifty some homes next to a dairy farm.

Jim Bondurant, Route 2, Box 506, Appomattox, Va.: Mr. Bondurant stated he spent much of today looking up information on this petition. He found some things that he is really concerned about. He is not sure who this L.L.C is. He knows the names of the people who supposedly are in this corporation but he also found out at the Clerk's Office that L.L.C. does not own this property. He does not understand how we can let this type of under-handed, back door type of stuff continue in Appomattox County. This property is owned by Clayton Bryant according to the last deed filed at the Clerk's Office. There was not a deed anywhere on file with any of these three (3) peoples names on it or this Corporation. He does not feel this is being up-front with the County to even ask for a variance on a zoning in a situation like this. They should not have been allowed to even carry on this from the very beginning because they are trying to do it in a very under-handed way. This piece of land is also very drought stricken. It will not produce enough water to support this number of homes. If I were to buy a lot and cannot find water, who will back me up and repay me for this property? Will the County be responsible? Another problem with this number of homes being built is how many of these homes will have one to three children. How will this impact our school system? We need to come up with another source of revenue for the County rather than taxing people who own real estate. There is also a problem with water and sewage. This proposed development is not beneficial to the Stonewall community, nor the County, not to anyone else except those who are developing this property. We do not need to be another Bedford County to Lynchburg. We cannot continue to take farm land for use as residential purposes.

Mr. Spencer asked if anyone else wished to speak for or against this petition.

Mr. Armbrust had a couple of questions for Mr. Warner:

- (1) Who actually owns this property and who is it deeded to. The answer was the Corporation, which has four (4) owners.
- (2) Can you disclose those owners? Tommy O'Brien, Gary Warner and two other people in Arizona.

Mr. Armbrust asked if this was the make-up of the Corporation. Answer: Yes
Mr. Warner stated the deed has been recorded at the Courthouse.

Mr. Spencer reminded everyone that the Planning Commission would be holding it's meeting at the old J & D Courtroom in the County Administration Building immediately following this public hearing.

Mr. Carter closed the public hearing at 7:20 a.m.


Samuel E. Carter, Chairman

On Tuesday, October 18, 2005 the Appomattox County Board of Supervisors held a Special Called Meeting/Workshop at 6:30 p.m. in the old J & D. Courtroom located in the Administration Building on Morton Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District (arrived at 7:16 p.m.)

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Janet Belter – Treasurer
Monte Mays – Commissioner of Revenue
Roxanne Mundy – Clerk – Appomattox Town Office

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation.

Monte Mays gave a recap of a recent legislative workshop he had attended in Richmond regarding the Personal Property Tax Reimbursement Act. The legislature has capped our reimbursement. They have tried to give the localities a formula to plug the numbers in to try to get as close as possible to have some effect on the County before they say "This is what you are going to get". The legislature will tell us what our reduction rate will be around March 1, 2006. He was provided with a formula to go by. He has one of his deputies working on this. Once these figures are completed we will have some idea

of how it will impact the County. He feels like this will be a "nightmare" before it is all over. He will coordinate with Janet and get the figures out as soon as possible.

Janet Belter is requesting that the Board adopt an ordinance to provide for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998. This ordinance is provided in the Personal Property Tax Relief Guide & Model Ordinance Ms. Belter received at a recent VML meeting (pages 12-14). This must be adopted by January 1, 2006. Both Ms. Belter and Mr. Mays feel this is a fair and reasonable approach to take.

Mr. Overstreet explained that you set your tax rate to generate X number of dollars. All the vehicles are assessed. You set a percentage as to how much money you want to collect. You get that amount and the State will be giving you money back. The rate you affixed on everything is applied against \$20,000 and up. What you have done is, the State is giving you money, which you have to apply to those rates under \$20,000. You will get your amount that you set your rate at, it is just a question of how much relief will be given to those under \$20,000. Those people assessed over \$20,000 will have to pay.

Mr. Mays stated that the law states that whatever the State gives you back, for example; 60%, that means that the taxpayer or the County will have to make up the additional 10% because last year you got 70%. The legislature passed a law that says if you don't abide by this ordinance, whatever you increase your tax rate by, the taxpayers will pick up 100%.

Mrs. Ferguson and Mr. Overstreet will draw up an ordinance for approval by Ms. Belter and Mr. Mays.

Mrs. Ferguson brought up the subject of County decals. As everyone is aware, the newspapers have been carrying articles about doing away with county decals, etc. Campbell County has done so as well as a lot of surrounding localities. She has discussed this with Ms. Belter and they have agreed that this would be a time saver and also save some expenses. We would need to do a couple of things in order to do away with the decals. We would need to change our ordinance where it says "issuance of decals". Basically the tax would remain the same but the wording "issuance of decals" would have to be removed. The billing method would be by adding this to your personal property tax bill. The first year this is implemented, the other localities found that it is easier just to do a prorated fee for the decal, thus creating a slight reduction in revenue. After that, it would fall on the calendar year and work out fine. We cannot get this done in time for the upcoming year, but we would like to get everything in place by 2007.

There was some discussion regarding how this would be done and how we can check to see if this tax has been paid. Ms. Belter explained that a hold on registration would be placed with DMV. There would also be a charge of \$20.00 for the stop order.

Ms. Ferguson, Ms. Belter and Mr. Mays will work on this and get back with the Board at a later date.

Ms. Ferguson stated she had given Mr. Overstreet a copy of the last RFP issued for the re-assessment and they are working on getting a RFP out for the upcoming re-assessment.

Ms. Ferguson asked if anyone had any questions for Mr. Mays and/or Ms. Belter regarding the Land Use.

Mr. Conrad posed a question regarding the renting of farm land as opposed to lying waste.

7:16 p.m. Mr. Moore arrived.

Mr. Mays stated you have to spread out your lost revenue – you cannot continue to drop this entirely on the landowner. He gave several ways to accomplish this:

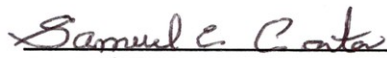
1. Partial year assessment
2. Business License in County (Merchants Capital Tax – Repeal – This is basically a dead tax as it cannot be changed)
3. Personal Property Tax
4. Machinery & Tools Tax

If we don't do something to adjust the fair market value of the land, the farmers will not be able to pay it. The farmer is getting penalized for something that he has no control of and that is why so many counties and towns have gone to land use. A farmer cannot afford to pay on the fair market value of his land because his equipment, insurance and everything he needs to operate his farm just eats him up. There is no tax on farm equipment.

Ms. Ferguson asked about the excessive amount of paper work involved in determining a person's eligibility for land use. Will the Commissioner's present staff be able to handle this increased work or will it require an additional positions. By the time this program is implemented the Compensation Board will probably fund another person.

Mr. Mays feels confident that the land use system will work. The burden of taxes should not fall on the property owner.

At 7:35 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)


Samuel E. Carter, Chairman

On Monday, October 24, 2005 the Appomattox County Board of Supervisors and the Appomattox County School Board held a joint work session at the School Board Administration Building located on Court Street, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT (Board of Supervisors):

Russell H. Moore – Piney Mountain District

PRESENT (School Board):

Robert W. Mitchell
Clifford Rhodenheizer
Todd Pickett
Amy Martin

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
Dr. Walter L. Krug, Superintendent Appomattox County School
Billy Perrow
Janice Marston
Martha Eagle

At 7:00 p.m. Mr. Carter called the Board of Supervisors to order and Ms. Martin called the School Board to order.

Dr. Krug then presented a power point presentation on the Recent Accomplishments and Challenges for 2005- 06; the Comprehensive Plan for 2005-2011; the Current budget status; and Items from the Board of Supervisors and the School Board.

I. Recent Accomplishments:

All our schools are "Fully Accredited.
All Schools and School Division have met Adequate Yearly Progress (AYP) under the No Child Left Behind Act of 2001 for the 2005-06 school year. He explained what making AYP means, not making AYP would mean and how they achieved AYP.

Challenges for 2005-06:

Additional high stakes testing
Higher passing rates to make AYP
Minimizing stress on teachers & staff
Increased reporting requirements-consequences for smaller school divisions
SOL testing expands
Students new to the division – 36 new Special Ed students
Correcting Myths such as:

Teachers Work days
 Teachers work year
 Administrative work day
 Administrative pay scale
 Central Office Staffing
 Administrators received large raises for 2005-06

II. Comprehensive Plan:

Student Achievement
 Family and Community engagement
 Organization sufficient to support the mission of the schools
 Good learning environment
 Faculty and Staff

III. Current Budget Status

Impact of increased fuel costs
 Appropriation of unused FY'05 funds
 Judicious use of field trips
 Weather variable for heating season
 Donation of equipment to Gulf Coast Schools

IV. Items from the Board of Supervisors and School Board:

Questions, comments or concerns from the BOS and School Board
 Comments and questions BOS receive from the public about schools
 Misperceptions – call us for answers.

Dr. Krug also discussed some of the critical needs facing the School Board:

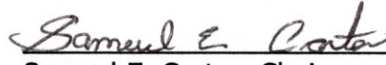
1. Recruiting and retaining highly qualified and licensed teachers:
 - 26 new teachers at ACPS – 13 not fully licensed
 - about 20% of ACPS teaching staff will be eligible for retirement within 3 years
 - teachers salaries rank at or near bottom in region
2. Permanent, inviting facilities – most pressing need:
 - Primary School – 5 mobile units
 - High School – 2 mobile units – inadequate
 - APS and ACHS – plan for building additions or additional mobile units
 - Mobiles – will need to be replaced

Dr. Krug concluded by thanking the Board for meeting with them and for their support.

Mr. Perrow presented everyone with a handout on Fuel Usage outlining the amount of fuel used for 2001 – 2005 and indicating the amount of fuel used and the average cost per gallon.

A brief questions and answer period followed.

At 8:30 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn.
VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye.
(4 aye votes – 1 absent)


Samuel E. Carter, Chairman

On Monday, November 7, 2005, the Appomattox County Board of Supervisors held a Special Called Meeting/Work Session with the Virginia Department of Transportation at 6:00 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:00 p.m., Mr. Carter called the Public Meeting/Work Session to order in accordance with Section 15.2-1418 of the Code of Virginia, 1950 as Amended for the discussion of the Six-Year Plan with the Virginia Department of Transportation.

Mr. Carter then introduced Mr. Don Austin, Resident Engineer, Virginia Department of Transportation.

Mr. Austin presented everyone with a draft copy of the Secondary System Construction Program. He explained that the official plan would not be in the same format as this draft. VDOT has designed a new format. There is again this year, no increase in money.

The proposed allocation for 2006-07 is around \$800,000.00 and will be decreasing in the following years. He also explained the County wide services they perform such as: Right-of-ways; Traffic Services; pipe installation and Subdivision Plan Reviews.

Route 641 – Church Street: They have been working on this for several years and this project has been okayed for advertisement in January. This work should be done next year providing they receive a good bid on the job.

Route 608 – Stonewall Road: There has been some planning to re-build Route 608 from Oakville to Route 460. This was listed as a major need for the County. The design and engineering on this project is ready to begin. The question is are there other areas that need to be addressed or is this the major concern in the County. This project will take the County's money for basically the next five (5) years. This is not the entire road, just a portion (from Rt. 669 to Rt. 670).

Discussion centered around tabling Route 608 and maybe adding Route 613 and/or Route 604. There is a lot of construction in the area of Route 613 at the present time. Improvements on Route 604 would run from Route 727 to C & E Grocery and on Route 613 would run from Route 460 to around the Appomattox Community Park road.

Mr. Austin explained that the improvements on Route 613 would cost approximately \$800,000 to \$900,000 and would include widening by about 18".

Route 659 will be paved this year and this would be a cut across from Route 613 to Route 26.

Mr. Armbrust stated that the improvement of Route 613 would be an important factor in drawing special events to the Community Park in the future.

The Board, by consensus, made the decision to pull Route 608 from the Six Year Plan and replace with Route 613 from Route 460 to the entrance to the Community Park and Route 604 from Route 727 to C & E Grocery. This would include a change at the intersection of Route 727 and Route 604 to improve visibility.

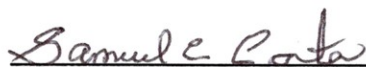
Mr. Austin reminded the Board of the Sidewalk Project requested by the Town for connecting the schools. They also plan to run the sidewalk up Ferguson Street to Court Street. The costs are increasing and they have been told there is no additional money for these projects. If this runs short of funds, would the Board want to fund this from Secondary monies. They have received some good bids for this project.

There was some discussion regarding a possible turning lane at Ferguson and Court Streets providing the right-of-way can be obtained.

The Board, by consensus, agreed to fund any sidewalk project shortage with money from Secondary Roads.

Mr. Austin also provided everyone with containing data on the unpaved roads in the County. He also reminded everyone of the Public Hearing on the Six-Year Plan scheduled for December 19, 2005 at 6:00 p.m.

At 6:42 p.m. Mr. Carter adjourned the work session.


Samuel E. Carter, Chairman

On Monday, November 7, 2005 at 6:30 p.m. the Appomattox County Board of Supervisors held their regularly scheduled meeting in the Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John O. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation after which everyone was invited to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

There were no changes or additions to the Agenda.

Mr. Carter next called for the **Citizen Public Comments Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Mr. Carter next called **Bobby Wingfield, E-911 Coordinator** to present several change orders that were necessary on the Public Safety Answering Point renovation project. Mr. Wingfield will also update everyone on the progress of the renovation project.

Mr. Wingfield began by stating they have a change order #3 – We had an open ditch along Morton Lane for a long time while we waited for Verizon to decide what they would need PVC pipe or conduit for Verizon lines. We did not get this in time to be included in the plans done by Wiley & Wilson. Verizon later notified us they would like to have. The cost of this change in depth of the ditch came to \$1,464.04. We also received a credit from Hudson Payne for \$222.60, which was deducted from the \$1,400.00. The total cost of the change order to \$1,241.44.

Mr. Wingfield explained that the hold up at the present time is the U. S. Postal Service, in the West Virginia office in Charleston, West Virginia. Timetable of contacts with Postal Service is as follows:

May 25, 2005 – Letters sent to Richmond and Roanoke USPS notifying them of August 1, 2005 start date for addresses.

May 31, 2005 – West Virginia USPS contacted Timmons Group to inform us they've taken over for Roanoke.

May xx, 2005 – Old-new address cross reference sent to Richmond and WV USPS.

Sept. 7, 2005 – Notified by WV USPS that they should be complete with entering Appomattox addresses by the end of October.

Sept. 9, 2005 – Notified by Richmond USPS that they have completed entering the Pamplin addresses into the system.

Oct. 31, 2005 – Sent telephone/new address cross-reference to Verizon. They informed Timmons Group that they cannot begin entering new addresses until they receive a formal letter from the USPS that new addresses have been accepted.

Oct. 31, 2005 – Spoke with WV USPS and they said they hope to have the 24522 zip code complete during November. The other zip codes would not be started until January 2006. They were unsure about being able to send a letter to Verizon since they had never done that before. They would talk to their supervisor about this. The plan is to get a letter from the 24522 zip code once it is complete, so Verizon can start entering that data.

Nov. 1, 2005 – Richmond USPS does not know if Pamplin has started using the addresses. Said we should contact Pamplin to find out. Have called several times and do not get an answer.

Nov. 1, 2005 – Contacted Wireless Services Board to put pressure on WV USPS.

There will be no data entry during the month of December because of the Christmas rush. Not having all the data entered will push the project back until sometime in early 2006. The US Postal Service will inform residents by mail as to when the new system will be implemented.

Following Mr. Wingfield's update on the E-911 project, Mr. Moore made a motion, seconded by Mr. Armbrust, to approve Change Order #3 on the E-911 project in the amount of \$1,241.44. Roll Call Vote: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **ADMINISTRATIVE ITEMS:** (Items 1-7)

- 1. Veterans Day Celebration:** The American Legion Post 104 is requesting permission to use Courthouse Square on November 12, 2005 from 11:00 a.m. to 1:30 p.m. for their annual Veterans Day event. (This date changed to November 11, 2005).

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the American Legion Post 104 request to use the Courthouse Square on November 11, 2005 from 11:00 a.m. to 1:30 p.m. for their annual Veterans Day event. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Wall Of Honor: Ms. Ferguson and Mr. Overstreet are scheduled to meet with the Committee working on this project prior to the Board meeting and hope to have some information to present at that time.

Mr. Overstreet stated that they had met with the Wall of Honor Committee and they came up with a Memorandum of Understanding, which he explained to the Board.

Mr. Carter asked if there were any comments:

One member of the Legion stated his thanks to the Board for working with the committee.

Another member stated he would like to speak on behalf of all the veterans of Appomattox County and the people who will actually be putting this together. You will be amazed by the support of the general public- there will be a lot of pride when people can come and see Grandpa's name, their son and other loved ones names on this monument. For the American Legion, its all about honor and integrity. They are here to do something and to do it right.

Mr. Carter asked for a motion on the Memorandum of Understanding after the edits are completed.

Mr. Armbrust made a motion, seconded by Mr. Moore to adopt the following Memorandum of Understanding:

THIS MEMORANDUM OF UNDERSTANDING MADE AND ENTERED
INTO THE 7th DAY OF NOVEMBER, 2005, BETWEEN THE
APPOMATTOX COUNTY BOARD OF SUPERVISORS ("COUNTY") AND
THE AMERICAN LEGION POST NO.104 ("LEGION")

WHEREAS, several organizations within Appomattox County (i.e. American Legion Post No. 104, Disabled American Veterans, Veterans of Foreign Wars, American Legion Auxiliary Unit 104, Sons of Confederate Veterans, etc.) have asked the Appomattox Board of Supervisors to establish a "Wall of Honor" to include a number of monuments within the Courthouse Square, memorializing all eligible servicemen as well as "first responders" (i.e., all law enforcement an all fire and rescue/EMT employees and volunteers); and

WHEREAS, said organizations have graciously offered to provide the funding to develop said monument with the American Legion Post No. 104, "Legion" herein, being the lead organization; and

WHEREAS, this Memorandum of Understanding has been approved by the membership of the Legion after a called meeting for that purpose; and

WHEREAS, the parties hereto have entered into this Memorandum of Understanding to set forth the parameters and role of each in developing the monument.

THEREFORE, the parties agree to this Memorandum of Understanding, as follows:

- 1) The first phase of development will be construction of a concrete pad within an area of 20 feet X 40 feet and a thickness of 8 inches. The County Administrator will stake out the four corners of the area within Courthouse Square. The County Administrator shall be notified 10 days in advance of the pouring of the pad. Legion will arrange for and lead and oversee construction of this pad. County Administrator reserves the right to object to the proposed sub-contractor.

2) Following construction of the pad, County has approved placement of the following monuments thereon and located as follows:
(Please see page 5 of original proposal for reference)

All monuments will be strategically located and centered properly on concrete pad.

All monuments will be facing Court street and positioned in a manner that does not block the view of the Flood mausoleum from Court Street.

The monument for first responders will be placed on right side of approved concrete pad (facing old courthouse) and will be appropriately and strategically aligned according to its unique purposes.

The County Administrator must receive 10 days notice of the date on which the monuments will be installed.

Legion will determine and recommend to County eligibility requirements for an individual to be represented on the monuments, which standards shall be approved in writing by the County. (See Donor Engraving Form in original proposal at page 8.)

3) Following placement of the monuments on the pad, it is anticipated that approximately each six months additional names of individuals approved through the eligibility process will be engraved on the monuments. The County Administrator shall receive 10 days notice before said engraving.

4) Any construction or any engraving must be fully paid for by Legion in advance, or Legion must have funds available for payment after completion.

5) Following construction, engraving, or any other work on these monuments, County's property shall be restored to the same condition as prior said work.

6) This project shall be at no cost to the County.

7) Either party may terminate this Memorandum at any time upon 5 days written notice to the other party.

8) The placement of future monuments positioned on the concrete pad will require the County's approval.

9) Legion agrees to maintain said pad and monuments in a clean condition and in good state of repair at its own costs; however funds set forth in paragraph 11 may be utilized.

10) Any contractor or sub-contractor engaging in work on the project as set forth in this Memorandum of Understanding will have in force liability insurance for damage to person or property in such limits, and with such company as approved by the County Administrator and in a form approved by the County attorney.

11) Legion agrees to deposit with the Treasurer of the County of Appomattox the sum of \$3,000.00 (as proposed) to be held in a discrete fund and used for future upkeep and maintenance of the Wall of Honor.

12) While Legion will establish a cost of schedule fee for engraving an eligible individual's name on standing monuments and request and encourage donations from friends or family before placing the name thereon; nonetheless, if Legion received a request to place the name of an eligible person on a standing

monument and the requester is unable or unwilling to make the donation recognition to significant donors according to its plans as set forth in Paragraph 2.

13) In the event shall the monument contain commercial advertising, but may contain names of businesses which contributed.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 2. Livestock Damage Claim Form:** Mr. W. M. Caldwell has presented a claim for two (2) calves that were killed by stray dogs in the amount of \$200.00.

Mr. Moore made a motion, seconded by Mr. Armbrust, to approve claim of W. M. Caldwell in the amount of \$200.00 for livestock killed by stray dogs. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. Permit Application for Musical or Entertainment Festival:** The Appomattox Moose Lodge #975 is requesting to hold two (2) turkey shoots. The dates and times are pending. They are also requesting that the bond requirement be waived for these two events.

Mr. Moore made a motion, seconded by Mr. Craft, to approve Appomattox Moose Lodge #975's request to hold two (2) turkey shoots (dates and times to be furnished later) and the bond fee waived. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Committee/Board Appointments:** We have been informed by Augustine J. Fagan that Appomattox County needs to appointment a Board member to fill a vacancy on the Community Services Board of Directors.

The Community Services Board of Directors meets on the 4th Wednesday of each month at 4:00 p.m. at the Administrative Offices on Langhorne Road except for the months of November and December when they meet on the 3rd Thursday of each month. The term runs for three years.

After some discussion, Mr. Moore made a motion, seconded by Mr. Conrad, to appoint Mr. William Craft to serve on the Community Services Board of Directors. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Planning Commission Appointments: Mr. Spencer is requesting that the Planning Commission Members be appointed to terms that will expire on December 31. This will be easier to administer than the current situation of intermittently expiring throughout the year. There has been some discussion in the past few months concerning the make up of the Planning Committee.

Ms. Ferguson expressed her concern regarding having these term expire at the end of the year. She is especially concerned about the possibility of having several new members coming on board at the same time. She does appreciate the difficulty in

keeping track of when these terms expire. She sees this request as twofold in that we move those terms to December 31st of the year they presently expire; and the other possibly advertising for persons to fill these positions.

Mr. Conrad made the statement that if we end these terms on the 31st of December, would we then have to stagger terms so as not to have a large number of new members at any given time.

Mr. Spencer agreed. This could be accomplished by re-appointing the commissioners representing the County so as to stagger their terms of office.

Mr. Carter called for a motion to extend all the terms of the Planning Commissioners to expire on December 31st of the year.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to extend the Planning Commissioners term of office to expire on December 31st of a given year. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Ferguson stated that there has been some concern over the past year that people are not being given the opportunity to participate on the various board and commissions. In discussing this with staff, we have determined that we would like to advertise for any up-coming opening that would be available on any board or commission that the County appoints. e.i. Library Board, Community Center Board; Planning Commission, IDA, or whatever may come up. She is asking that the Board establish as policy, that we run an ad in the newspaper for a couple of weeks and have citizens fill out an application, express their interests and giving a little background of themselves. This would be followed up by an interview in order to see where their abilities and interests lie and then make recommendations to the Board for appointments.

Mr. Carter questioned the legal point view on making this change.

Mr. Overstreet replies that the code states that after you initially set up the Planning Commission with four (4) year terms, you can change terms thereafter. You cannot, however, cut someone's term short unless you have just cause or the individual requests to be replaced. He would suggest that on the four that are to expire this year, you could extend these for 1 or 2 years in order to stagger these. We also need to make sure these appointments are not made with discriminations.

After much discussion it was agreed that Ms. Ferguson would advertise and receive applications for persons to serve on the Planning Commission, as well as other Boards and Commissions are necessary.

5. Job Descriptions: Job descriptions have been revised for the following positions:

Landfill Office Assistant: This position has been revised to include Recycling Coordinator due to the mandates from DEQ for a 25% recycling rate. Also, we are requiring that the position hold a valid Virginia drivers license in order to attend trainings and meet with businesses to try to build the recycle rate.

County Planner: Several weeks ago the Board discussed the need for some one to write grants and take on the old Elementary School Project. Ms. Ferguson has reviewed several possibilities for getting these things done, as well as looking to other immediate needs that the County has, such as revising the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, etc. After taking all this into consideration, she feels that the best possible scenario is to revise the Planner position to include expertise in grant writing and move forward with hiring a Planner. This is a large step but she feels that we must be proactive in addressing the growth of the County.

Ms. Ferguson is requesting the approval of the revision to both of these positions and permission to proceed with the advertising of the Planner position with the hope of getting someone on board by January 1, 2006.

Mr. Conrad stated that he has no comments on the Landfill Office Assistant position. As the Board has discussed previously, we really need someone with expertise in grant writing to help us find available funds. Our budget does not allow for everything but there is grant money out there and we need to tap into these if possible. He feels that the money we spend on this position would certainly help us in this endeavor.

Mr. Moore stated that a planner is needed more now, than ever before. Our previous planner did an excellent job. Our friend, Mr. Spencer, has been taking care of this but his job has a lot of other things to do.

Mr. Carter feels that in hiring a planner, that person's time will really be taken up with zoning issues, Comprehensive Plans, Ordinances, etc., and he does not think there would be ample time to spend searching for grants. He feels that we need to hire a full time planner and a part-time person to look into what is out there as far as grants are concerned. He feels that the payback would be worth what is spent in salaries.

Mr. Conrad stated that this should be a full-time, part-time employee, under the supervision of the County Administrator, with set days, and hours as any other employee and should spend their entire time in writing grants and searching for grants to help finance the County's needs.

Mr. Carter suggested that they approve the job descriptions and in the mean time look at the budget and see if we can find ways and means to get this part-time person.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the job description for the Land Fill Office Assistant, and to allow the County Administrator to proceed with the advertising for a County Planner using the present "Planner" job description. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson will also proceed with preparing a job description for a part-time grant writing position.

- 6. Planning Commission Action from the October 17, 2005 Public Hearing:** Petition #05-557 of Gary Warner, and others to rezoning of an A-1 tract Stonewall has been withdrawn by the owners.

There was no action taken on this item.

Mr. Armbrust questioned a couple of other projects that Mr. Warner was involved in. One on the Moses tract and the other the Retirement Village off Route 26.

Mr. Overstreet stated that he and Mr. Spencer would look into what is happening on these projects. Mr. Spencer stated that he has seen no site plans for the Freedom Ridge project other than what was presented initially.

- 7. Ordinance Changes or Adoption:** Mr. Overstreet has provided draft ordinances concerning partial assessment of new construction and PPTRA. Mr. Mays and Ms. Belter have also been provided a copy of these ordinances for their comments. No comments have been received as of today.

Ms. Belter has informed Ms. Ferguson that there is already guidance in place concerning any assessment made under this section after September 1 of any year, the penalty for non-payment by December 5 shall be extended to February 5 of the succeeding year.

Ms. Belter gave a brief review of how the Personal Property Tax Relief Act of 1998. In 1998 the taxpayers received a refund check from the State on personal property. From 1999 to current, personal property was supposed to be phased out completely. In 2001 we had reached the 70% reimbursement rate. 2005 will be the last year you will see this 70%. Starting in 2006 the State will cap the amount, based on our 2004 collection from personal property. The taxpayer will not see the 70% on their tax bill. We do not know what this rate will be, we will know more after March 2006 when we get the figures from Richmond.

Mr. Overstreet explained how he interpreted this new tax ordinance.

A Public Hearing was scheduled for December 12, 2005 at 6:30 p.m. on the Personal Property Tax Relief Act and partial assessment. Place of meeting will be announced later.

Mr. Carter next called attention to the **CONSENT AGENDA:** (Items 8 – 14)

- 8. Approval of Minutes:** Please approve minutes of Joint Meeting with Planning Commission on October 17, 2005; Public Hearing on October 17, 2005; Special Called Meeting/Workshop on October 18, 2005; and Joint Meeting with School Board on October 24, 2005.
- 9. Approval of Bills:** Please approve bills as presented for payment.

SUPPLEMENTAL APPROPRIATIONS:

10. **Landfill:** Please appropriate by consent and supplement \$1,311.00 to 4206-5413 Recycling and Litter Prevention for a grant received from the Department of Environmental Quality.
11. **Electoral Board/General Registrar:** Please appropriate by consent and supplement \$3,376.75 to the Electoral Board budget for monies received from the Federal Government to pay bills for the month of October, 2005.
12. **Sheriff's Department:** Please appropriate by consent and supplement \$2,056.23 to 3102-1002 – Regular Overtime – due to reimbursement from the U. S. Department of Justice for Organized Crime Drug Enforcement Task Force overtime.

Please appropriate by consent and supplement \$2,500.00 to 3102-7001 – Equipment – for grant received from the U. S. Department of Justice.

13. **Donations:** Please transfer by consent and appropriate \$225.00 to 7109-5631 – AWAG for monies received from the sale of Animal Friendly License Plates.

LINE ITEM TRANSFERS:

14. **Emergency Services:** Please transfer by consent and appropriate \$2,000.00 to 3605-7001 – Equipment, from 1101-5804 – Operating Reserve - to pay local match for a grant.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:**

15. **Department of Historic Resources:** Information has been received from the Virginia Department of Historic Resources Survey and Planning Cost Share Program – Request for Applications for 2005-2006 funding cycle. These are funds that hinge on participation in the Historic Register Designations.
16. **Letters concerning Land Use Taxation:** Several letters have been received from citizens concerning their desire for you to pursue land use taxation.
17. **Wall of Honor:** Letter received a letter on October 19th supporting the proposed Wall of Honor. This citizen would like for you to consider painting the shutters on all the buildings in Courthouse Square black green.
18. **United Way of Central Virginia Information and Referral Center:** Quarterly report for the Information and Referral Center of Central Virginia.

19. **Robert E. Lee Soil & Water Conversation District:** Minutes of the September 11, 2005 Board of Directors meeting and Annual Report for 2004-2005 for the District.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Conrad has a concern of animal control. Mr. Martin, the Animal Warden, is literally up to his chin in work. He is receiving calls at all hours, seven (7) days a week, from people regarding stray dogs, feral cats, and everything else out there. We need to come with a solution based on what we have. One avenue is to hire an individual to help the animal warden, which means additional money. There is another way to look at this and he would like to throw this out as food for thought. Appomattox County does not have a leash law. The reason being rural areas where roaming dogs are not a problem. As we add more and more people moving into our area from out of state, you have more complaints. If we are going to correct this growing problem, we may have to develop a leash law during certain times of the year. Don't have it in effect during hunting season (7 weeks out of the year for deer hunting or longer if you include rabbit season). We need to address this problem as equitable as possible, so no one group feels they are being stepped on.

Ms. Ferguson stated the office has not tracked animal control calls well. We are beginning to do that and the call volume is increasing and citizens patience is becoming less and less. We find we have more and more calls dealing with someone's dog walking across their property, using their property as a bathroom facility, people are afraid to come out of their house because there is a dog in the yard. We have a lot of concerns about what is going on. Mr. Martin tries his best to answer these complaints, he does an excellent job, but is it becoming astronomical- he cannot keep this up by himself. The Board needs to start thinking about how they are going to address this problem. We have a policy that says that Mr. Martin does not go out at night or on week-ends unless it is an emergency. She would classify an emergency as a dog-bite or an animal kill. However, who is trying to go to church on Sunday morning and a Rothweilder is between him and his car – to him this is also an emergency. Hiring another person is not the only expense involved, another truck and other equipment is also necessary.

This problem has grown because we have new people move into the community that are not use to having dogs roaming around, the news media coverage of animal attacks, etc. these all contribute to the amount of calls we now receive.

Mr. Overstreet commented on several things that were done in Bedford when he was County Attorney. They drafted an ordinance, where they divided the County in quadrants using Route 460 and Route 122 as boundaries, whereby animals in that area had to be put up for a certain period. Another thing was, if a sub-division had certain concentration of population (like a square mile block) a certain number of the population could present a petition to have that area a "leash law" zone. This would involve highly concentrated areas but not in the rural "hunting" areas.

Mr. Carter suggested that this be placed on the Board's agenda around the first of the new year.

Mr. Carter next reminded everyone of the **UPCOMING MEETINGS:**

November 21, 2005
Regular Scheduled Board of Supervisors Meeting
6:30 p.m.
Appomattox Town Office

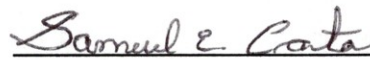
December 5, 2005
Joint Work Session With Appomattox Town Council
6:30 p.m.
Appomattox County Community Center

December 12, 2005
Public Hearing on the Personal Property Tax Relief Act
6:30 p.m.
Place to be announced

December 19, 2005
Public Hearing on the Six Year Plan
6:00 p.m.
Appomattox Town Office

December 19, 2005
Regular Scheduled Board of Supervisors Meeting
6:30 p.m.
Appomattox Town Office

At 8:25 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Monday, November 21, 2005 the Appomattox County Board of Supervisors held its regular scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 John K. Spencer, Jr. – Assistant County Administrator
 John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation after which everyone joined in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

There was one item to be added: 17A - Job Description for Grant Writer

Mr. Carter next called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Mr. Carter called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 2)

1. **Calendar for 2006:** The 2006 Meeting Calendar has been prepared for your approval. Included are joint meetings with the Town Council and the School Board. Also two (2) Regional Dinners have been placed on the calendar.

Mr. Carter stated that there may be only one Regional Dinner for the next calendar year.

There was one change to be made in the schedule – Organizational Meeting changed from Monday, January 9, 2006 to Tuesday, January 3, 2006. If a Board meeting is canceled due to inclement weather, the meeting will be held on the following Monday, unless a holiday, in which case the meeting would be held on the following Tuesday.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the Board's Meeting calendar for 2006 with the change from Monday, January 9 to Tuesday, January 3 as noted. VOTE: Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes – 2 absent)

2. **Use of County Seal:** The American Legion has asked permission to place the County Seal on one of the monuments in the Wall of Honor.

Mr. Moore made a motion, seconded by Mr. Craft, to allow the American Legion the use of the County Seal on one of the monuments in the Wall of Honor. VOTE: Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes – 2 absent)

Mr. Carter next called for the **CONSENT AGENDA:** (Items 3 – 7)

3. **Approval of Bills:** Please approve bills for payment as presented.

FUND TRANSFERS:

4. **Courthouse Maintenance:** Please transfer by consent and appropriate \$3,114.99 to the Courthouse Maintenance Line in the General Properties budget to purchase a metal detector for the Courthouse.

SUPPLEMENTAL APPROPRIATIONS:

5. **Sheriff's Department:** Please appropriate by consent and supplement \$940.26 to the Jail budget for a check that was lost in the mail.
6. **Community Park:** Please appropriate by consent and supplement \$9,775.50 to the Community Park budget to pay expenses for October 2005. This money will be reimbursed to the County by a grant.
7. **Library:** Please appropriate by consent and supplement \$2,755.65 to the Library budget for funds received for stamps, office supplies, book replacement fees, donations and book sales.

Mr. Craft made a motion, seconded by Mr. Moore to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes – 2 absent).

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 8 – 17A)

8. **United Way:** Kim Payne, Lynchburg City Manager, has provided information about benefits that Appomattox County Citizens receive through the United Way. He has been trying to get us to participate in the United Way Campaign for several years.
9. **Appomattox County Public Schools:** Enclosed for your information is the Monthly Financial Report for the month of October 2005 for the schools.
10. **Trend Alert:** Dr. Krug sent an e-mail to the County Administrator which she felt you might be interested in reading.
11. **Holiday Lake 4-H Educational Center:** Informational bulletin from the 4-H Center to keep you updated on what they are doing.
12. **Certification Program for Master Deputy Commissioner:** Mr. Mays has submitted Sandra McCormick and Sara Henderson to the Compensation Board for completion of the Master Deputy Commissioner Program.
13. **The 17th Annual Virginia Water and Wastewater Rate Report for 2005:** Draper Arden Associates has provided you with the annual water report for your review.
14. **Appomattox County Parks, Recreation and Tourism Report:** October 2005 report from Anne Dixon, Director of Parks, Recreation and Tourism.

Mr. Carter commented on the Report from the Director of Parks, Recreation and Tourism. He felt that the things she is involved in are very good for promoting tourism in the County.

15. **Carver Price Complex Preplanning Study:** The Management Team for the Carver Price Complex met on November 10th and reviewed the two scenarios that were provided for space utilization by HDH. Option B seemed to meet with most everyone's expectations for the project.
16. **Animal Pound:** On November 15th a progress meeting was held at the Animal Pound and the majority of the work has been completed. If anyone would like to take a tour of the facility, please contact the County Administrator and a time will be set up that is convenient for everyone.
17. **E-911 Communications Center:** The E-911 center is complete with the exception of the installation of the equipment. Stop by the office anytime and someone will take you through the facility.
- 17A. **Job Description for Grant Writer:**
Mrs. Ferguson provided the Board Members with a copy of the Job Description for the Grant Writer. This position will research and identify possible grant funding opportunities, compose grant applications, proposals and solicit granting organizations. Everything from finding the grants, carrying through and getting the money and administering these funds after they are received.

Mrs. Ferguson stated the budget is being strained at the present and we will do our best to come up with the funding for this position. The funds from January to June will not be a problem. If we fill this position at the present time, it will take pretty much all the additional funds we have, which concerns her a little bit. However, this position would probably be able to bring some funds in, especially, with the old elementary school project. We had talked about this being a part time position, approximately 20 hours per week, with no benefits. She has not checked into what a part-time position of this type would pay. She will check with other localities as to what they pay as well as the PDC.

Mr. Craft made a motion, seconded by Mr. Moore, to adopt the Job Description for a Grant Writer position on a part-time basis. VOTE: Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes-2 absent).

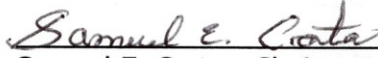
Mr. Carter next asked for **SUPERVISOR CONCERNS:**

Mr. Craft reported on a meeting he attended recently on the Rails to Trails Project. Apparently the high bridge section from Burkeville to Farmville first, as this is the part most people will like to see. It will most likely be about 6 years before they get to Pamplin.

Mr. Carter stated we need to have a volunteer to attend the United Way Celebration and Rally on December 6th at 5:30 p.m. to 8:00 p.m. at the Lynchburg Academy of Music Warehouse, Main and Commerce Streets, Lynchburg.

Mr. Moore volunteered to attend this function as the Appomattox County representative.

At 6:50 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes – 2 absent)


Samuel E. Carter, Chairman

On Monday, November 21, 2005, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint public hearing in the Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT (Board of Supervisors):

Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District

PRESENT (Planning Commission):

Steve Conner
Bryan Baines
Jerry Hughes
Calvin Tanner
Al Sears
Shannon Dews
Robert Johnson
Barry Morris

ABSENT (Planning Commission):

Kevin O'Brien
Marvin Mitchell

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney

At 7:00 p.m. Mr. Carter opened the public hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions.

Discussion will take place during the Planning Commission meeting to be held in the old J & D Courtroom immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the hearing over to Mr. Spencer, who read the only petition to be considered.

Petition #05-558 – James Womack: The applicant is requesting a Conditional Use Permit to allow the sale of utility trailers on Richmond Highway (Route 460) between Mountain Cut Road (Route 695) and Old Evergreen Road (Route 630). The subject property, identified as Tax Map Number 90(A)5, is 4.47 acres in size and is zoned Agricultural District A-1. If granted, it would become a Conditional Use in that zoning district and thus amend the County Zoning Ordinance (Section 170-25).

Mr. Spencer asked if anyone wished to speak in favor of this petition.

Mr. Spencer then asked if anyone wished to speak in opposition to this petition.

Since there was no one to speak for or against this petition, Mr. Spencer turned the meeting back to Mr. Carter.

At 7:02 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to adjourn the Public Hearing. VOTE: Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes – 2 absent)


Samuel E. Carter, Chairman

On Monday, December 5, 2005, the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at the Appomattox County Community Center, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Town Council)

Ronnie Spiggle – Mayor

Jimmy Mayberry
Steve Lawson
John Wilson
Marvin Mitchell
Joyce Bennett
Lewis McDearmon

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
David Garrett – Town Manager
John K. Spencer, Jr. – Assistant County Administrator
Roxanne Mundy – Town Clerk
J. G. Overstreet – County Attorney

At 6:30 p.m. Mayor Spiggle called the meeting to order and asked Mr. Mitchell to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Spiggle proceeded with the Agenda:

1. **Report on Tourism:**

Anne Dixon, Tourism Director, gave an update on activities for the past year. She began by stating what she had been working on this past year. The first thing she started working on was the designing of a brochure describing the various things of interest to do in Appomattox along with a map and a yearly calendar of events. She feels this brochure was a very successful tool in drawing visitors to the area. They also purchased brochure racks for placement in various businesses around the County and Town. She also received permission to place these brochures at the Historical Park. She also joined the Virginia Hospitality & Travel Association which distributes these brochures along corridors and visitors centers on Interstate 81, 64 and 95.

Her department also helps bus tour groups set up places to visit, shop and eat during their tours in the County. They also promote antique shops, bed and breakfast inns, also help staff the museum and Clover Hill Village with Greenthumb workers on a part-time basis. They also have set up a website – www.appomattoxhistory.org.

They are also working on a walking tour of the historic homes in the Town area, and getting some signs or markers promoting upcoming events.

Ms. Dixon concluded by stating that the Visitors Center needs to be staffed by energetic and outgoing persons who will offer information on what is available in our community without having to be asked.

Mr. David Garrett presented the Town's tourism package, stating they would like to hire a Tourism Director, to market the Town and County. This is no reflection on what Ms. Dixon has and is continuing to do. They appreciate her efforts. They recently visited several surrounding town and/or counties to see what they were doing. They are presently working on a job description and tourism action plan.

Mr. Spiggle stated that in the past the Town had sort of left tourism up to the Chamber of Commerce – and the Chamber has done a good job. For years we have talked about tourism and tourism efforts, but really never got around to doing anything about it. Town Council have finally realized that perhaps we should have followed through with this three (3) years ago, but they realize now that if anything is ever going to happen, it is going to take somebody full time in doing it. He also suggested that Ms. Dixon may be the person most suited to fill this position, if she is interested. She has taken on a lot of responsibility and gets a lot done, along with her regular duties with parks and recreation.

Discussion followed with several suggestions such as: Hiring a firm to do marketing strategies; Coordinate and train volunteers at the Visitor's Center on what is available; bring in new businesses to keep people in the county; town and county work together and find assistance with funding.

2. **Update on Alternative Water Source:**

Mr. Garrett provided a handout on some updates since November. He reminded everyone that the Town and County jointly made a request to have Campbell County Public Service Authority evaluate the hydraulics and construction to connect the town water supply. The information received will be used for a two-fold purpose: (1) to determine the instrumental costs required to increase the line size currently anticipated to serve Concord/Rustburg and (2) to determine the operational and reservoir costs in order to set water rates that Campbell County would use to sell water to Appomattox.

Mr. Garrett briefly explained the information contained in the handout.

3. **Renovations to the Town Office:**

Mr. Garrett presented some suggestions on renovating the downstairs area into a large meeting room.

Mr. Spiggle stated that this was a controversial subject. If the County wished to continue to use the facility, there were some upgrades that needed to be done. One upgrade would be audio/visual aides for use during presentations. Not only would this be better for the governing bodies but also for the citizens who come to participate in the meetings. It would be handicap accessible, all on one floor. There was be parking out front and possibly two (2) small conference rooms where the Planning Commission could meet without having to drive to another location. There would be restrooms available, as well. More detailed plans and cost estimates would be available next week.

Mr. Craft mentioned the County could make use of the Old Courthouse Building but it would be very expensive to make this into useable space. If it were to be renovated, it would have to be done a certain way to suit the public and we would not be able to do everything that needs to be done.

Mr. Carter stated that the County Board of Supervisors is currently in a dilemma and we need to decide which way we are going. We need to determine if funding is available to renovate the Courthouse or either we need to go full fledge with the concept the Town Council is presenting.

Mr. Spiggle stated that Town Council needed to get started as soon as possible, as they were having some leaks in the roof and other problems. Unless the County wanted to join in this renovation, Council would not need to move to the lower level, they would just repair the roof and do other minor repairs and continue to use their present Council Chambers for their meetings as they do not need as large a room as the County Board of Supervisors.

4. Update on E911:

Ms. Ferguson gave a brief update on the E911 system. There have been a few snags on getting the addresses changed over. We also had some damage to one of the large units when it was delivered. Hopefully, by May, 2006, we will be up and running. Most of the town addresses have been put up and Mr. Wingfield continues to address new residences in the County. Renovations to the Communications Center are complete but we are still waiting on some equipment. Mr. Wingfield has moved into the building and anyone who wishes to tour the facility, feel free to go by. Mr. Winfield will be glad to show you around.

5. Update on the Animal Pound:

Ms. Ferguson provided a progress report on the completion of the new Animal Pound. There have been quite a few problems encountered with this facility. Hopefully it will be ready for occupancy within the next month. Feel free to contact Mr. Martin if you would like to see this new facility.

6. Update on the Landfill:

The Landfill application for permitting a new cell is well underway. We had to request a variance on a liner which has been done and the proper documents have been filed. We are waiting for the permitting to be completed.

7. Regional Jail Request:

As you are aware, we have been considering the possibility of entering into a regional jail concept which started out with Appomattox, Amherst and Nelson looking at this possibility. Nelson County is already in a regional jail with Albemarle and they have decided to stay in that facility. Three partners are needed to participate in a regional jail concept. We are now looking at the possibility of Amherst and Appomattox entering into partnership with Blue Ridge Regional Jail facility. We should know something more definite by late spring or mid-summer.

At 7:55 p.m. the Town Council adjourned its meeting.

Mr. Carter next presented several **ADMINISTRATIVE ITEMS** for the Board's consideration:

1. Carver-Price Legacy Museum:

Ms. Ora McCoy, Board Chairperson for the Carver-Price Alumni Association, Inc. has written requesting that the Board apply for listing for the Carver-Price School on the State and National Registry of Historic Places.

Ms. Ferguson stated that they have held several design sessions where all parties involved have gotten together and stated what area they would like to have. The architects have put all of these into prospective and have drawn a diagram- included in your last Board Book. After talking with the people from Richmond we learned that if any funding goes into a project, or a building, that certain structural/aesthetics have to be kept, i.e. certain molding, windows, etc. that cannot be replaced. The Board has determined that it is not in our best interest to have this designation done at this time.

Mr. Conrad stated that we cannot afford to have this designation if we wish to have other interested parties come into the building as they would need to be able to change things to suit their needs and requirements.

We wholehearted support the efforts of the Carver-Price Alumni Association and need to write Ms. McCoy to see if she can get the original part of the building designated separately.

2. Planning Commission Action from the November 21, 2005 Public Hearing:

Petition #05-558, **James Womack** – Mr. Womack is requesting a conditional use permit to allow the sale of utility trailers on Richmond Highway (Route 460) between Mountain Cut Road (Route 695) and Old Evergreen Road (Route 630). The subject property, identified as Tax Map Number 90(A)5, is 4.47 acres in size and is zoned Agricultural District A-1.

The Planning Commission has recommended that petition #05-558 of James Womack be approved as submitted.

Mr. Craft made a motion, seconded by Mr. Armbrust to accept the Planning Commission recommendation to approve the following:

Petition #05-558, **James Womack** – Mr. Womack is requesting a conditional use permit to allow the sale of utility trailers on Richmond Highway (Route 460) between Mountain Cut Road (Route 695) and Old Evergreen Road (Route 630). The subject property, identified as Tax Map Number 90(A)5, is 4.47 acres in size and is zoned Agricultural District A-1.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

CONSENT AGENDA:

- 3. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 4. Board of Supervisors:**

Please appropriate by consent and supplement \$1,173.50 to telephone repairs in the Board's budget to cover expenses related to the new telephone system.

5. Jail:

Please appropriate by consent and supplement \$243,230.60 to the jail budget to cover medical expenses incurred by an inmate. Mr. Godsey will make a special request to the State for reimbursement of these expenses, but that does not mean that it will be approved.

Ms. Ferguson stated that one of the jail inmates suffered a stroke, was hospitalized, placed in intensive care, prior to dying. Hopefully this will be reimbursed by the State.

6. Community Development Block Grant:

Please appropriate by consent and supplement \$6,000.00 to 8105-6013 to pay for architectural services for the old elementary school. This money will be reimbursed by the CDBG grant.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to accept the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter reminded everyone of the upcoming meetings:

December 12, 2005 @ 6:30 p.m.

Public Hearing

PPTRA Ordinance and Assessment of New Substantially Completed

Buildings

School Administration Building

December 19, 2005 @ 6:00 p.m.

Public Hearing – VDOT – Six Year Plan

Town Office

December 19, 2005 @ 6:30 p.m.

Regular Schedule Meeting

Town Office

January 3, 2006 @ 6:30 p.m.

Organizational Meeting

Town Office

January 17, 2006 @ 6:30 p.m.

Regular Schedule Meeting

Town Office

At 8:08 p.m. Mr. Craft made a motion, seconded by Mr. Conrad to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, December 12, 2005 the Appomattox County Board of Supervisors held a Public Hearing at 6:30 p.m. in the Meeting Room of the Appomattox County School Administration Building located on Court Street, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
J. G. Overstreet – County Attorney
Janet Belter – Treasurer
Monte Mays – Commissioner of Revenue

At 6:30 p.m. Mr. Carter opened the public hearing and gave the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter stated the purpose of the Public Hearing was to receive comments on changes to two (2) County Ordinances, Personal Property Tax Relief Act and the Assessment of New Substantially Completed Buildings.

Mr. Carter then instructed those wishing to speak to come forward, state their name and address for the record.

No one came forward.

Mr. Carter asked if any Board member had any questions regarding these ordinance changes.

Mr. Craft asked Mr. Mays a question regarding the partially completed houses and how he handles these.

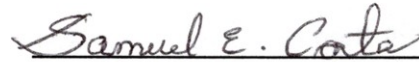
Mr. Mays responded by saying if he goes to a house now, and it is not completed he cannot place a value on it. After this ordinance is passed, he can put a partially completed house on the tax books. The way new construction is running in the County, you may be looking at anywhere from eight (8) to ten (10) million dollars in value that will be captured in a given year, if the present building boom continues as it has in the past four (4) years. Last year we added fifteen (15) million dollars on the books as a result of new construction. This ordinance basically allows us to put a house on the books that is not completed prior to January 1. This house will not be taxed on a full value basis, it will be prorated.

Mr. Overstreet and Mr. Mays discussed how they understood the Code in dealing with this partial taxing.

Mr. Overstreet read the following Code Section: §58.1-3292: "Assessment of new buildings substantially completed, etc.; extension of time for paying assessment: In any county, city or town that has not adopted an ordinance pursuant to §58.1-3292.1, upon the adoption of an ordinance so providing, all new buildings substantially completed or fit for use and occupancy prior to November 1 of the year of completion shall be assessed when so completed or fit for use and occupancy, and the commissioner of revenue of such county, city or town shall enter in the books the fair market value of such building. No partial assessment as provided herein shall become effective until information as to the date and amount of such assessment is recorded in the office of the official authorized to collect taxes on real property and made available for public inspection. The total tax on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building, computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the tax upon the assessment of such new building as it existed on January 1 of that assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears to the entire year. With respect to any assessment made under this section after September 1 of any year, the penalty for nonpayment by December 5, shall be extended to February 5 of the succeeding year".

Mr. Carter asked if there was in further discussion in regards to these two (2) changes.

Hearing none, Mr. Carter closed the public hearing.


 Samuel E. Carter, Chairman

On Monday, December 19, 2005, the Appomattox County Board of Supervisors held a Public Hearing with the Virginia Department of Transportation at 6:00 p.m., in the Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
 J. G. Overstreet – County Attorney

At 6:00 p.m. Mr. Carter opened the Public Hearing and stated the purpose of the public hearing was to receive comments on the proposed Six-Year Plan for Secondary Road Improvements for 2006-07 through 2011-12.

Mr. Carter then turned the meeting over to Mr. Don Austin, Residency Administrator, VDOT, Appomattox County, Va.

Mr. Austin gave a brief explanation of the 6-Year Plan and the road improvements scheduled for 2006-07 through 2011-12. He stated that there was not very much change in the plan from last year. They are continuing the work on Route 641 (Church Street) and hopefully will complete this by next summer. As explained in the recent work session, the Route 613 (Police Tower Road) project has been moved to the second priority. Money has been allocated for the design and research for this project. We do not know how expensive this will be regarding right-of-ways, etc. You will note that Route 608 is no longer on the priority list. The unpaved roads that will be worked on will be Route 659 (Phelps Branch Road), Route 677 (Log Cabin Road), Route 686 (Bear Branch Road) and Route 716 (Pine Crest Place). These four roads will be scheduled for surface treatment.

Mr. Austin also discussed the estimated costs of each of the projects and when each of these projects will be funded.

Mr. Carter asked if anyone had any questions for Mr. Austin regarding the Appomattox County VDOT Six-year Plan and Secondary Road Improvements for 2006-07 through 2011-12.

There was also some discussion regarding the sidewalks along Lee Grant Avenue and Ferguson Street providing sidewalks between the Elementary and Primary Schools.

There were no comments at this time.

Mr. Austin also presented the following Resolution on the Six-Year Plan and Secondary Road Improvements Plan for adoption by the Board of Supervisors.

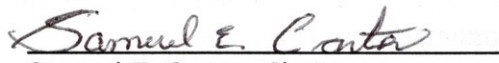
***WHEREAS**, the Board of Supervisors of Appomattox County and the Virginia Department of Transportation held a Public Hearing on December 19th, 2005, in accordance with Section 33.1-70.01 of the Code of Virginia at which time the proposed Six-Year Plan for Secondary Road Improvements for 2006-07 through 2011-12 was presented by Donald L. Austin, Sr., Residency Administrator for the Virginia Department of Transportation, and*

***WHEREAS**, the proposed list for the 2006-07 Secondary Road Construction Budget was also presented for consideration.*

***BE IT RESOLVED**, that the Secondary Road Improvement Six-Year Plan for 2006-07 through 2011-12 is hereby approved.*

BE IT FURTHER RESOLVED, that the priority list for the 2006-07 Secondary Road Construction Budget is hereby approved.

At 6:15 p.m. Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Monday, December 19, 2005, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p. m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation after which he invited everyone present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

There were two (2) items to be added:

4A - Certificate of Appreciation

4B – VDOT Resolution

Mr. Carter called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens.

No one present wished to make comments at this time.

Mr. Carter next called for **APPEARANCES:**

Reid Johnson, National Historical Park, will discuss a bike trail for Route 24.

Mr. Johnson will not be able to appear until the January 17, 2006 meeting.

Mr. Carter then proceeded to address the **ADMINISTRATIVE ITEMS:** (Items 1-4)

1. Adoption of Ordinance for Assessment of New, Substantially Completed Buildings and an Ordinance to Provide for the Implementation of the 2004-2005 Changes to the Personal Property Tax Relief Act of 1998:

All requirements to the Code have been met and public hearings were held on the abovementioned ordinances.

After some discussion Mr. Moore made a motion, seconded by Mr. Conrad, to approve the following ordinances effective January 1, 2006 at 12:01 p.m.

ORDINANCE TO PROVIDE FOR THE IMPLEMENTATION OF THE 2004-2005 CHANGES TO THE PERSONAL PROPERTY TAX RELIEF ACT OF 1998

WHEREAS the Personal Property Tax Relief Act of 1998, Va. Code 58-1-3523et . ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session 1 (Senate Bill 5005), and the provision of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS these legislative enactments require the County to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS these legislative enactments provide for the appropriation to the County commencing in 2006, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax ("PPT") on such vehicles, and provide the opportunity for the County to fashion a program of tax relief that serves the best interest of its citizenry;

Now therefore be it ordained By the Appomattox County Board of Supervisors as follows:

- 1) Purpose: Definitions: Relation to other Ordinances.
 - (A) The purpose of this Ordinance is to provide for the implementation of the changes to PPTRA effected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia.
 - (B) Terms used in this Ordinance that have defined meanings set forth in PPTRA shall have the same meaning as set forth in Va. Code 58.1-3523, as amended.
 - (C) To the extent that the provisions of this Ordinance conflict with any prior Ordinance or provision of the County Code, this Ordinance shall control.
- 2) Method of Computing and Reflecting Tax Relief.
 - (A) For tax years commencing in 2006, the County adopts the provisions of Item 503E of the 2005 Appropriations Act providing for computation of tax relief as a

specific dollar amount to be offset against the total taxes that would otherwise be due but for PPTRA and the reporting of such specific dollar relief on the tax bill.

- (B) The Board shall by ordinance set the rate of tax relief at such a level that it is anticipated fully to exhaust PPTRA relief funds provided to the County by the Commonwealth. Any amount of PPTRA relief not used within the County's fiscal year shall be carried forward and used to increase the funds available for personal property tax relief in the following fiscal year.
- (C) Personal property tax bills shall set forth on their face the specific dollar amount of relief credited with respect to each qualifying vehicle, together with an explanation of the general manner in which relief is allocated.

3) Allocation of Relief among Taxpayers.

- (A) Allocation of PPTRA relief shall be provided in accordance with the general provisions of this section, as implemented by the specific provision of the County's annual budget relating to PPTRA relief.
- (B) Relief shall be allocated in such a manner as to eliminate personal property taxation on each qualifying vehicle with an assessed value of \$500.00 or less.
- (C) Relief with respect to qualifying vehicles with assessed values of more than \$500.00 shall be provided at a rate annually fixed in the County budget and applied to the first \$20,000.00 in value (\$10,000.00 assessed value) of each such qualifying vehicle, that is estimated fully to use all available state PPTRA relief. The rate shall be established annually as a part of the adopted budget for the County.

4) Transitional Provision.

- (A) Pursuant to authority conferred in Item 503D of the 2005 Appropriations Act, the County Treasurer is authorized to issue a supplemental personal property tax bill, in the amount of 100 per cent of tax due without regard to any former entitlement to state PPTRA relief, plus applicable penalties and interest, to any taxpayer whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid on September 1, 2006 or such date as state funds for reimbursement of the state share of such bill have become available, whichever earlier occurs.
- (B) Penalty and interest with respect to bills issued pursuant to subsection (a) of this section shall be computed on the entire amount of tax owed. Interest shall be computed at the rate provided in the Appomattox County Code from the original due date of the tax.

AND

ORDINANCE OR ASSESSMENT OF NEW, SUBSTANTIALLY COMPLETED

**BUILDINGS Pursuant to Sec.58-1-3292 Code
of Virginia**

BE IT ORDAINED AS FOLLOWS:

All new buildings substantially completed or fit for use and occupancy prior to November 1 of the year of completion shall be assessed when so completed or fit for use and occupancy, and the Commissioner of the Revenue of Appomattox County shall enter in the books the fair market value of such building. No partial assessment as provided herein shall become effective until information as to the date and amount of such assessment is recorded in the office of the Treasurer of Appomattox County and made available for public inspection.

The total tax on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the tax upon the assessment of such new building as it existed on January 1 of that assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears to the entire year.

With respect to any assessment made under this section after September 1 of any year, the penalty for nonpayment by December 5 shall be extended to February 5 of the succeeding year.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 2. Fire Marshall Appointment:** Lonnie Hamlett has agreed to take the Fire Marshall training and add these duties to his present responsibilities. In order to be enrolled in the training program he has to be appointed as Fire Marshall for Appomattox County.

After a brief discussion on the duties and qualifications of the Fire Marshall, Mr. Craft made a motion, seconded by Mr. Conrad to appoint Lonnie Hamlett to the position of Fire Marshall for Appomattox County. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. CVCC Satellite – Phase 1A:** The project analysis for the first phase of the CVCC Satellite Center has been received for the Board's approval. Financial options are being worked on with Davenport.

Ms. Ferguson explained that sometime ago when CVCC had the opportunity to receive some Tobacco Funding, the Board determined to move forward with a partial renovation of the third grade wing to get the satellite center up and moving by the summer. This is a continuation and cost analysis provided by HDH including the scope of service, design fees, etc.

Ms. Ferguson also explained that there will be some payback from leasing the space to CVCC and she cannot think of a better way for this facility to be utilized.

Mr. Conrad commented that we will benefit in more ways than one by leasing this facility to CVCC because once this satellite campus takes off, then interest will be generated in the rest of the building.

Mr. Moore stated he is very happy to see this facility being renovated and utilized. We should all feel good about getting something done with this building.

Mr. Conrad made a motion, seconded by Mr. Moore, to approve Phase 1A of the CVCC Satellite project. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Water Supply Planning Grant:** DEQ has announced the application process for the \$300,000.00 available this year for water supply planning projects. Applications for up to \$50,000.00 are due by January 6, 2006. The Local Government Council is planning to file an application for the region and needs a resolution passed by the Board agreeing to participate in the process.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the following resolution and participation in the grant.

***WHEREAS,** the Virginia General Assembly has mandated the development of source water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process, and*

***WHEREAS,** based upon these regulations Appomattox County is required to complete a water study plan that fulfills the regulations by November 2, 2010, and*

***WHEREAS,** the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans, and*

***WHEREAS,** the Virginia's Region 2000 Local Government Council has offered to coordinate a planning study to examine the feasibility of the development of a regional water supply plan, develop a scope of work for such a project and seek grant funds from DEQ to offset the cost of this review, and*

***WHEREAS,** regional water supply planning is a sensible approach to developing a water supply plan since watershed boundaries do not follow political boundaries and since there will likely be cost savings to all jurisdictions participating, and*

***WHEREAS,** the Virginia Region 2000 Local Government Council has previously managed the development of successful regional plans and is a logical entity to organize and manage a regional water supply planning process, and*

***WHEREAS,** Appomattox County desires to participate in a regional water supply plan feasibility study that will develop a scope of work for a regional water supply plan and*

desires to secure DEQ grant funds to help offset the cost of the scope of work development.

NOW, THEREFORE, BE IT RESOLVED, *the Appomattox County Board of Supervisors authorizes Virginia's Region 2000 Local Government Council to develop an application for source water planning grant funds and to perform a feasibility study and to develop a scope of work for a regional source water supply which will meet mandated regulations and provide long range perspective on the needs and opportunities of the region's future water supply, and*

IT IS RESOLVED, *that the County Administrator is authorized to sign appropriate documents related to the source water planning grant and the regional source water supply plan on behalf of Appomattox County, and*

IT IS FURTHER RESOLVED, *that Appomattox County intends to provide up to \$588.00 in matching funds for the project if the grant is awarded.*

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye vote)

4A. Certificate of Appreciation: Ms. Barbara Mayberry will be retiring from the County on December 30, 2005 with 13 years of service. Ms. Mayberry has been employed in a custodial position since October, 1992. A retirement reception will be held on Friday, December 30, 2005 at 2:00 p.m. at the Office of the County Administrator. Everyone is invited to attend.

4B. VDOT Resolution – Six Year Plan and Secondary Road Improvements:
A public hearing was held on the VDOT 6-Year Plan and Secondary Road Improvements.

Mr. Carter stated that this has been the subject of discussion for several months. He feels this plan meets with everyone's expectations.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the Six-Year Plan and Secondary Road Improvements as prepared by Virginia Department of Transportation and adopt the following resolution:

WHEREAS, *the Board of Supervisors of Appomattox County and the Virginia Department of Transportation held a Public Hearing on December 19th, 2005, in accordance with Section 33.1-70.01 of the Code of Virginia at which time the proposed Six-Year Plan for Secondary Road Improvements for 2006-07 through 2011-12 was presented by Donald L. Austin, Sr., Residency Administrator for the Virginia Department of Transportation, and*

WHEREAS, *the proposed list for the 2006-07 Secondary Road Construction Budget was also presented for consideration.*

***BE IT RESOLVED**, that the Secondary Road Improvement Six-Year Plan for 2006-07 through 2011-12 is hereby approved.*

***BE IT FURTHER RESOLVED**, that the priority list for the 2006-07 Secondary Road Construction Budget is hereby approved.*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye vote)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 5-6)

5. Approval of Bills: Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

6. J. Robert Jamerson Memorial Library: Please appropriate by consent and supplement \$419.99 to the Library's budget for donations, book replacement fees and books sales received.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 7-10)

7. Meeting Schedule for 2006: Corrected meeting schedule for the calendar year 2006.

8. Appomattox County Public Schools Monthly Financial Report: Financial report for the month of November 2005 for the school system.

9. Agenda's for Appomattox Town Council Meetings: Agenda for Town Council Workshop of November 29, 2005 and Council Meeting on December 12, 2005.

10. Robert E. Soil and Water Conservation District: Minutes of the Robert E. Lee Soil & Water Conservation District Board of Directors meeting held on October 27, 2005.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad discussed the Land Use Taxation and what we are looking at doing as far as dealing with this. Also, what research do we need to do in order to present a plan for proceeding with discussion on this matter.

There was a lot of discussion regarding what qualified a person/land for this Land Use taxation.

Ms. Ferguson stated she had talked with several County Administrators, some feel it is an unfair tax and others do not use it because they do not have sufficient industry to cover the difference in the tax revenue. The bottom line here is that if you give someone a tax break of x-amount of dollars, then that revenue will have to be made up on other things. She suggested that the Board hold some Public Comment sessions in order to explain to the general public just how this tax works.

Mr. Moore has been approached by Tommy Cawthorne regarding a portion of the road that dead-ends going to his home. This road is maintained by the state and there are a lot of vehicles coming in and turning around in the drive-way. His wife is concerned about this traffic. He has talked to VDOT regarding this issue. There are only two (2) property owners on this road, Mr. Cawthorne and WESTVACO. VDOT has said they would need a letter from WESTVACO in order to close a portion of this road.

Mr. Craft has some concerns regarding the Emergency Communications Center. He is particularly concerned about all the switch boxes on the back side of the building. These are open to vandalism, sabotage, or what-ever. He feels there should be a fence around this area.

Ms. Ferguson replied that there were several things to be considered in this and if Mr. Craft would stop by her office, they could discuss this issue.

Also, Mr. Craft would like to have the meeting for Monday, November 20th, 2006 moved to another date. November 20th is the first day of hunting season in Virginia and West Virginia. Both he and Mr. Conrad like to take vacation and hunt during that period of time. He is afraid that the Board may not have a quorum to hold their regular meeting on this date.

Ms. Ferguson suggested that since this is the week of Thanksgiving holidays, the Board hold only one (1) meeting in November, that being the first Monday of the month.

After a lengthy discussion the Board by consensus moved the November 20th 2006 meeting to November 27th, 2006.

Mr. Carter remarked that an anonymous letter (printed article) had been received regarding the tire operation at the landfill. The article compared the tire operation by Emanuel Tire to the tire dump that caught fire in Roanoke several years ago, stating this could possibly take place here in Appomattox County.

There were no other comments or issues for discussion.

At 7:26 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

Mr. Carter then reminded everyone of the **UPCOMING MEETINGS:**

**Organizational Meeting
January 3, 2006 @ 6:30 p.m.
Town Office**

**Regular Scheduled Meeting
January 17, 2006 @ 6:30 p.m.
Town Office**

On Tuesday, January 3, 2006, the Appomattox County Board of Supervisors held its Annual Organizational Meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: Shawn A. Armbrust – Wreck Island District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District (arrived 6:42 p.m.)
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
David Garrett – Town Manager

At 6:30 p.m. Ms. Ferguson called the meeting to order and asked Mr. Carter to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

This being the organizational meeting, Ms. Ferguson stated the first order for consideration was the nominations for Board Chairman and the election of Vice-Chairman. Ms. Ferguson asked if there were any questions regarding the nomination process.

Mr. Craft nominated Samuel Carter for Board Chairman. Mr. Craft stated that he has done an outstanding job during the past year and he related well with the press and he feels Mr. Carter should continue on as Chairman. Mr. Craft also congratulated Mr. Carter and Mr. Moore on being re-elected to the Board. Ms. Ferguson called for a second to this nomination. Mr. Moore seconded the nomination.

Ms. Ferguson called for further nominations. Hearing none, Ms. Ferguson asked for a motion to close the nominations for Board Chairman. Mr. Craft made a motion to close the nominations, seconded by Mr. Moore. VOTE: Mr. Armbrust, aye; Mr. Carter, aye; Mr. Craft, aye; and Mr. Moore, aye. (4 aye votes – 1 absent)

Ms. Ferguson asked that all in favor of Mr. Carter being elected as Chairman of the Board of Supervisors for 2006, to signify by saying aye. VOTE: Mr. Armbrust, aye; aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Ms. Ferguson then turned the meeting over to Mr. Carter.

Mr. Carter thanked everyone for their vote of confidence and stated that last year had been a very demanding year but that everyone had worked very well together.

Mr. Carter then called for nominations for Vice Chairman for 2006.

Mr. Moore nominated William Craft to serve as Vice Chairman of the Board of Supervisors, seconded by Mr. Armbrust. VOTE: Mr. Armbrust, aye; Mr. Moore, aye; Mr. Carter, aye; and Mr. Craft, aye. (4 aye votes – 1 absent)

Mr. Carter next stated that the Board needed to adopt Rules and Procedures for 2006. For the past year, we have used Robert's Rules of Order, Newly Revised for Small Boards that allows the Chairman to make and second motions. He then called for discussion.

Mr. Moore made a motion, seconded by Mr. Craft, to continue with the Policies and Procedures that were established in 2005 and also to adopt the use of Robert's Rules of Order, Newly Revised for Small Boards. VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

The Board by consensus appointed Ms. Ferguson as Clerk to the Board of Supervisors for 2006.

Ms. Ferguson commented that Vickie Phelps, Administrative Assistant in her office, is currently taking the Municipal Clerk's training and at some time in the future will be attending the Board Meetings and taking over the role of doing the minutes, etc. This will allow Ms. Ferguson to take a more active roll in discussions, etc.

Mr. Carter next called for instructions to the Administrator. Mr. Craft stated that Ms. Ferguson has to spend a lot of time away from the office attending meetings, etc. Hopefully, in the future, some of these meetings could be handled by someone else, allowing for more time in the office.

Mr. Carter next stated the Board needed to establish the dates, times and place of the meetings for the next year.

Mr. Craft made a motion, seconded by Mr. Moore, to adopt the schedule for meetings to be held on the first and third Mondays of each month at 6:30 p.m. in Council Chambers of the Appomattox Town Office. VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

The next item of business was **Setting of Agenda:**

Add: 2A - Extend Planning Commission Terms.

2B – Add Meeting Room

Mr. Carter next called for **Citizen Public Comments Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

There were no comments to be heard.

At 6:42 p.m. Mr. Conrad arrived.

Mr. Carter next called for **ADMINISTRATIVE ITEMS:** (Items 1-2)

1. **Reassessment Proposals:** Ms. Ferguson is requesting permission to advertise for someone to do our reassessment as a Request for Proposal instead of sealed bids. She feels we need to have the latitude to look at all aspects of the firm seeking to provide reassessment services, not just the cost of services.

Mr. Overstreet explained that in seeking professional services the Board can elect to use Request for Proposal as compared to sealed bids, in order to do competitive negotiations.

Mr. Craft made a motion, seconded by Mr. Armbrust, to advertise for someone to do the reassessment as a Request for Proposal instead of sealed bids. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **CDBG Grant Application:** Our CDBG grant application requires that we hold several public hearings to receive comments on the proposed project. Ms. Ferguson has suggested that the first public hearing be held on January 17, 2006 at 6:00 p.m. in the Appomattox Town Office.

Ms. Ferguson stated that the date has been changed to February 6, 2006, same time and place. When applying for a CDBG grant there are certain procedures that have to be followed in order to be eligible for funding. Management meetings have been held and we are now ready to hold the public hearings.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to hold the first public hearing on the CDBG grant application on February 6, 2006 at 6:00 p.m. at the Appomattox Town Office. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 2A. **Extend terms of the Planning Commission:** As everyone is aware, the Planning Commission terms that expired in 2005 were extended to December 31, 2005. We have not had a very good response from our advertisement requesting applications from citizens who wished to serve on Boards, and/or Commissions. We do have some petitions that need to be taken care of at the January 17, 2006 meeting. After conferring with Mr. Overstreet we would like to extend the terms of Al Sears, Steve Conner, Jerry Hughes, and Calvin Tanner until January 31, 2006 which would give us an opportunity to take care of the Planning Commission meeting for the middle of the month, plus see if any more applications are received from interested citizens.

Ms. Ferguson explained that some of these Planning Commission members do not feel they should have to fill out an application to be re-appointed to this position. Some others have not expressed an interest in being re-appointed for various reasons.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to extend the Planning Commission terms of Al Sears, Steve Conner, Jerry Hughes and Calvin Tanner until January 31, 2006. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2B. Meeting Room: Ms. Ferguson explained that everyone had a copy of a drawing provided by David Garrett regarding the way the downstairs of the Town Office could be laid out as meeting rooms. This is what Town Council was talking about at the joint meeting held recently. They are requesting that everyone study this proposed layout and immediately following tonight's meeting, we will all walk downstairs and actually see the space that is available. Town Council would like us to make some decision as to whether or not we would like to go into a joint venture with them on renovating this area. It looks like a very good plan. This area is also large enough to accommodate both groups, should there be a conflict in meeting dates. There is also space to hold closed sessions, as well as the Planning Commission meetings. There would also be a parking area, handicap parking and easier handicap accessibility.

Town Council has some improvement issues that they need to address and it would be in the best interest of everyone to really give some serious thought to what we would like to do. Ms. Ferguson explained that she would be willing to talk with anyone who had any other suggestions or ideas. Overall, she thinks the layout is a very good one.

At 7:05 p.m. Mr. Carter called **Ms. Jan Baker, Acting Unit Coordinator, Virginia Cooperative Extension** to appear before the Board.

Ms. Baker, Eric Eberly, Agricultural & Natural Resources Extension Agent; Bonnie Tilliotson, 4-H Youth Development Program; and Evelyn Ferguson, who serves as the 4-H Extended Food & Nutrition Program Assistant, will each explain what their area of expertise is and what changes are taking place involving their programs and services to the citizens of Appomattox County. Ms. Baker reported for Wanda Evans who was unable to be present.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 3-4)

3. APPROVAL OF MINUTES: Please approve minutes of the Special Called Meeting/Work Session with VDOT on 11/7/05; Regular Meeting on 11/7/05; Public Hearing on 11/21/05; Regular Meeting on 11/21/05; Joint Meeting with Town Council on 12/5/05; and Public Hearing on PPTRA on 12/12/05.

LINE ITEM TRANSFERS:

4. MAINTENANCE DEPARTMENT: The Maintenance Department is requesting that you transfer \$1,166.02 from 4302-3010 to 4302-3002 to pay for work that was necessary at the Library.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:**

5. **Agenda for Town Council Meeting:** Town Council Agenda for its December 27, 2005 meeting.
6. **SUPERVISOR CONCERNS:** Mr. Carter asked if anyone had anything to discuss at this time.

No one had anything to discuss at this time.

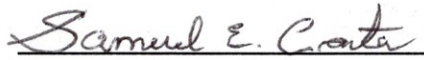
Upcoming Meetings

**January 17, 2006 @ 6:30 p.m.
Regular Schedule Meeting
Town Office**

**February 6, 2006 @ 6:00 p.m.
Public Hearing on CDBG Grant Application
Town Office**

**February 6, 2006 @ 6:30 p.m.
Regular Schedule Meeting
Town Office**

At 7:45 p. m. Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, January 17, 2006 at 6:30 p.m. the Appomattox County Board of Supervisors held regularly scheduled meeting in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 John Spencer – Assistant County Administrator
 John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, after which, everyone was invited to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**
 There were no items to be added.

Mr. Carter next called for **Citizen Public Comments:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

There was no one who wished to speak at this time.

Mr. Carter next called for the next item on the agenda.

Reed Johnson, Appomattox Courthouse NHP: Mr. Johnson has requested to appear before the Board and the Planning Commission to discuss traffic calming and the proposed pedestrian/bike trail along Route 24.

Mr. Johnson provided each Board Member with a copy of the following letter which he read:

January 17, 2006

*Appomattox County Board of Supervisors
 P.O. Box 863
 Appomattox, Virginia 24522*

Dear Board Members:

By way of this letter, the National Park Service is seeking your endorsement through a formal resolution in support of the proposed traffic calming and pedestrian trail concept for State Route 24 as it passes through Appomattox Court House National Historical Park. As you make your determination, please carefully consider the following:

Under the Historic Preservation Act of 1972; the National Environmental Policy Act (NEPA); as well as Department of Interior and National Park Service guidelines for national historical sites, a bike trail is considered an inherently "recreational" facility which does not contribute to visitor understanding or the protection of historic features and can only be approved if it does not disturb or intrude upon those features. As such, the only possible location for a trail would be along a previously disturbed or impacted area, i.e. State Route 24.

Any form of pedestrian or bike trail parallel with the existing roadway would require that the speed limit be significantly lowered for the safety and protection of anyone on the trail. The traffic calming proposal accomplishes this by physically forcing traffic to comply with the lower speed limit. Reduction of the speed limit has long been a park management objective. The Virginia Department of Transportation will not lower the present speed limit under the existing conditions but agrees that traffic calming is a way to achieve a reduction.

In addition, the aesthetic enhancements included in the traffic calming design serve to lessen the adverse impact of the highway on the historic scene which will significantly improve the chances of the trail being approved during the compliance process.

Bicycling represents a significant tourism potential and the park regularly receives inquiries regarding facilities and biking possibilities. Unfortunately, we must actively discourage any such usage due to the inherent safety and liability issues created by the high speeds and traffic volume along SR 24.

A trail linking the park to the Town and other proposed trails in the Central Virginia area emerged as one of the most popular suggestions from area residents during our General Management Plan workshops and open house sessions. Planning is already underway for a trail system within the county and it should be emphasized that the SR 24 corridor within the park is a critical link in this system.

In summary, any trail linking the park to the Town and County must be located in a previously disturbed area and only the existing highway corridor meets this requirement. The bike trail concept provides a significant potential for increasing tourism in a market that might not otherwise consider Appomattox, while also providing recreational opportunities and increased park access for local citizenry.

As such, we seek your formal endorsement of the traffic calming concept as part of the larger effort to enhance and promote tourism and citizen recreation in the Town and County of Appomattox.

*Sincerely,
Reed Johnson
Superintendent*

Mr. Johnson discussed the evolving concept, emphasizing speed reduction and safety issues, but in order to reduce speed limits, the road needs to be re-engineered to force the lower speed limit. Upon re-examining this whole concept, they realized that one of the other primary component of this is the concept of a pedestrian or alternative transportation trail that links the town and county to the park itself. This is one of the plans included in the general management plan or master plan revision meeting four (4) years ago. This was one of the suggestions from citizens. There has been several inquiries regarding a biking trail. This concept is a potential for tourism which he believes everyone is interested in. The cost of these improvements would be Federally funded – if the Board endorses these plans.

There were several questions by Board Members.

Q. How far off the highway is the actual pedestrian/bike trail?

A. This has not as yet actually been done by the engineers.
This would have to be worked out with VDOT.

Q. What speed limit is being considered?

A. 35 mph within the park -then 45 mph to Vera.

Q. What is the time frame we are looking at?

A. Approximately ten (10) years or longer.

Q. Has there been much input from the citizens of the County?

A. Had an open house in Vera where they attempted to include everyone on the Vera rural mail route. Basically the only people who showed up were the ones who are against the concept.

Mr. Johnson stated there was already an increase in traffic and there is an inevitable conflict between the recreational and visitation use of the park and commercial traffic. Traffic will be slowed down. There were seven (7) accidents on the road during the calendar year 2005. Traffic volume is increasing and safety is the main concern.

Mr. Carter thanked Mr. Johnson for his presentation.

Mr. Carter next called **Bobby Wingfield, E-911 Coordinator** to address the Board.

Mr. Wingfield has requested to appear before the Board to gain approval to enter into a contract with DaProSystems for a functional Computer Aided Dispatch (CAD) system for three Dispatch/Call taker positions at the new E911 Center. DaProSystems will provide hardware, a new CAD file server and three CAD workstations. The system will integrate with all existing equipment as well as with the DaProSystems equipment currently in the Sheriff's Office. The total cost is \$48,700.00 and includes installation and training services.

Mr. Wingfield stated this equipment is the backbone of the Sheriff's Department where all phone complaints come in and all walk in complaints are entered. They will work closely with the Sheriff's Department and they will be able to talk back and forth, but E-911 would have its own server. This would mean that if one system goes down, the other would be able to act as a back-up.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to approve the contract with DaProSystems for a functional Computer Aided Dispatch (CAD) system for three Dispatch/Call taker positions at the new E-911 Center at a cost of \$48,700.00. Roll Call Vote: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1-5)

2. **Meeting Room Renovation at Appomattox Town Office:** David Garrett has provided an estimate of \$150,000 to \$200,000 to renovate the 3,000 square foot bottom level of the Town Office into meeting space that could be used by the County. The Town would like to know as soon as possible if the Board wishes to financially participate in this project.

Mr. Carter stated the preliminary drawing presented by Mr. Garrett is pretty much the same as what the Board previously reviewed from the last meeting. He feels he personally needs more time to study this before making a commitment.

Mr. Conrad has reservations as to the ownership rights, etc. The concept is good and would probably be an effective way to carry on our meetings but has reservations about approving this at the present time.

Ms. Ferguson will have someone review some old minutes regarding this building.

Mr. Armbrust feels we should also look at other options.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to table action on this issue until a future meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 6:38 p.m. Mr. Carter called for a recess prior to the Public Hearing to be held at 7:00 p.m.

At 7:22 p.m. Mr. Carter reconvened the Board Meeting.

Mr. Carter next welcomed **Paul Lee of Robinson, Farmer & Cox Associates:** Mr. Lee will discuss the draft Fiscal Report for the fiscal year ending June 30, 2005.

Mr. Lee stated that as in the past, there has been no problem in the audit. Everything has come out fine. The staff has been doing an excellent job. This is the third year we have been under the GASB 34. Mr. Lee reviewed the draft report. We are currently adding enough to the assets to overcome the depreciations.

Mr. Craft had a question regarding the "Delinquent Taxes" figure.

Mr. Lee stated that this figure included current tax installments that were due in June and are not paid until December.

Mr. Carter thanked and excused Mr. Lee.

Mr. Carter then called for **ADMINISTRATIVE ITEMS:** (Items 1, 3-5)

1. **HDH Contract for Design Work at Carver-Price School:** HDH, the firm assisting with the adaptive reuse of the Carver-Price School, has submitted a scope of work relating to the Window and Roofing Replacement Project. The roof and front windows of the original building are scheduled to be replaced along with the roof over the 3rd grade wing (future CVCC area). Short-term

repairs will also be made to other problem areas of the roof. The Congressional Appropriations money has been earmarked for this project plus the Tobacco Commission has been asked to redirect funds remaining from an earlier grant. The County will be responsible for approximately \$5,000 of the \$170,000 project cost. Staff recommends entering into an agreement with HDH in the amount of \$16,900 for design work.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust, to enter into a contract with HDH for Design Work at Carver-Price School. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. Resolution of Support for New Jail Construction Project:** Amherst County Board of Supervisors recently passed a resolution as a means of requesting support from its local legislators for the concept of a regional jail located in Amherst County and housing inmates from Amherst, Appomattox and the Bedford Annex of the Blue Ridge Regional Jail Authority. It is recommended that Appomattox County adopt a similar resolution.

Ms. Ferguson stated that Watkins Abbitt has been contacted on a couple of occasions to request assistance in pushing this through. Since then, there have been some developments that we were unaware of. In conjunction with this, Legislative Day we hope to have dinner with all of the legislators and ask for their help and assistance in getting this pushed through. Any Board Member who can attend this Legislative Day event (February 9, 2006) is encouraged to do so.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to Adopt the following Resolution of Support for the New Jail Construction Project.

APPOMATTOX COUNTY RESOLUTION OF SUPPORT NEW JAIL CONSTRUCTION PROJECT

WHEREAS, the Appomattox County jail was originally designed and constructed for a maximum daily population of 12 and has been at it's present location for the past 25 years, and

WHEREAS, the jail has seen an increase of 72% or an average daily population of 25 in the last 8 years and

WHEREAS, the current design is considered antiquated by today's standards and lacks the needed program and administrative space, and

WHEREAS, these deficiencies make jail supervision, inmate population management and control difficult due to the jail's antiquated design which is further exacerbated by current overcrowding and continued growth in the average daily population, and

WHEREAS, Appomattox County recognizes the need for a new jail facility and has entered into discussions with Amherst County and the Blue Ridge Regional Jail Authority in development of a partnership for the construction of a new jail in Amherst County that would be owned and operated by the jail authority of which Amherst and Appomattox County would be a member, and

WHEREAS, this new facility would allow all partners to close their existing antiquated local jails and consolidate staffing which would ultimately save tax dollars and provide a more manageable facility that will insure the safety of the public at large, the jail staff and the inmate.

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors does hereby respectfully request the support of its area legislators in the continuation of an exemption granted to Appomattox County in the 2004-2006 Appropriations Act regarding the 1996 moratorium on the review of Community-Based Corrections Plans and Planning Studies by the Board of Corrections.

BE IT ALSO RESOLVED, that the Appomattox County Board of Supervisors does hereby request that its area legislators support the concept of a regional jail located in Amherst County which would house inmates from Amherst, Appomattox, and the Bedford Annex of the Blue Ridge Regional Jail Authority which would be owned and operated by the jail authority of which Amherst and Appomattox would be members.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **2007 National Association of Counties Annual Conference:** The 2007 NACo Annual Conference will be held July 13-17, 2007 in Richmond. Virginia counties are being asked to contribute \$1,000 towards the staging of this conference, which will bring an estimated 5,500 conventioners to the Commonwealth.

Mr. Armbrust questioned if the County could possibly set up a booth/display at this event to promote Appomattox County.

After some discussion, the Board took no action on this item.

5. **Committee Appointments:** The Board may wish to make appointments to the Planning Commission and IDA. Information on those interested in serving will be presented at the meeting.

PLANNING COMMISSION:

Wreck Island District – Calvin Tanner (no other applications received)

1 year term ending December 31, 2006

Falling River District – Al Sears (no other applications received)

2 year term ending December 31, 2007

Courthouse District – Steve Conner (no other applications received)

4 year term ending December 31, 2009
Appomattox River District – No applications received

INDUSTRIAL DEVELOPMENT AUTHORITY:

Bill Slagle and Wayne Lewis – terms expire on December 31, 2005. Both have expressed the desire to be reappointed. No other applications received.

Mr. Conrad made a motion, seconded by Mr. Armbrust to make the following appointments to the Planning Commission:

Calvin Tanner – Wreck Island District – 1 year term expiring December 31, 2006

Al Sears – Falling River District – 2 year term expiring December 31, 2007

Steve Conner – Courthouse District – 4 year term expiring December 31, 2009

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Moore made a motion, seconded by Mr. Armbrust to re-appoint both Bill Slagle and Wayne Lewis to the Industrial Development Authority for 4 year terms expiring December 31, 2009. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 6-14)

6. Approval of Bills: Please approve bills as presented.

LINE ITEM TRANSFERS:

7. Maintenance Department: The Maintenance Department is requesting that you transfer \$7,329.00 from 4302-3005 to 4302-3004 to pay for replacement of windows in Library Cupola.

SUPPLEMENTAL APPROPRIATIONS:

8. Appomattox County Parks, Recreation & Tourism Department: Please appropriate by consent and supplement \$78,582.81 to the Special Park Account which will be reimbursed with grant funds once received.

9. Electoral Board/General Registrar: Please appropriate by consent and supplement \$448.35 to the Electoral Board budget from monies received from Federal HAVA funding.

10. Appomattox Volunteer Fire Department: Please appropriate by consent and supplement \$16,647.11 to 3202-5408 (Vehicle Powered Supplies) for repairs to motor in fire engine.

11. Four for Life: Please appropriate by consent and supplement \$4,753.27 for monies received from Department of Health for Fiscal Year 2005 Four-for- Life payment for Emergency Medical Services.

12. Maintenance Department: Please appropriate by consent and supplement \$3,100.00 to 4302-3004 to pay for painting of various county buildings.

13. Health Department: Please appropriate by consent and supplement \$5,235.00 to 5102-5800 for additional state funding that has been approved for pay plan and hospitalization insurance adjustments for additional district wide Environmental Health Food Establishment Inspector.

14. J. Robert Jamerson Memorial Library: Please appropriate by consent and supplement \$485.53 Library budget for funds received for stamps, office supplies, book replacement fees, donations, and book sales.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

15. Appomattox County Parks, Recreation & Tourism Department: Ms. Dixon has submitted her December 2005 report of activities.

16. Appomattox County Public Schools – Monthly Financial Report: Financial Report for the School Division for December, 2005.

17. Letter from Pamplin Volunteer Fire Department: Letter received announcing the delivery of their new rescue-pumper vehicle.

18. Virginia Association of Counties: VACo 2006 Legislative Priorities.

19. Capitol Contact: VACo's semi-monthly newsletter sent on the 1st and 15th of each month.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad stated he had discussed with Ms. Ferguson today the need to place the Land Use issue on the front burner. There are varied opinions on it, and certain people are going to be expecting the Board to react one way or the other. Not everyone will be happy but he is getting calls regarding the Board's position. The Cattleman's Association is having a lady or gentleman visit with them. This individual will not try to sway anyone one way or the other. Basically, they will let the Cattleman's Association know what Land Use is doing, what it can do and might not do for us here. Mr. Conrad will be attending this meeting and would like another Board member to accompany him. Depending on what this person has to say, we, as a Board, may wish to have this person speak to us.

Mr. Conrad also discussed the response to the advertisement for Committee Appointments. He also commented on the Wall of Honor project.

Mr. Armbrust stated we need to consider is that we have tried to stick by our guns and correct some of the mistakes that have been made in the past. Whether it is the Court yard, violations of vehicles, etc., he thinks that the Board is sometime a little too lenient and need to look at this a little harder.

Mr. Craft expressed some concerns regarding the Wall of Honor Project.

Mr. Carter stated that he read in Sunday's Lynchburg Paper re: Biosolids, our local delegate, Mr. Abbitt, has introduced a bill that will stop the spread of biosolids until the

State Health Department and the Department of Environmental Quality certifies that the "treated sewage sludge does not harm people or the environment". 99% of the County population agrees with this certification and has been in agreement for some time and he is happy to see that our delegate in Richmond is taking the will of the people to heart here.

UPCOMING MEETINGS

February 6, 2006 @ 6:00 p.m.
Public Hearing on CDBG Grant Application
Town Office

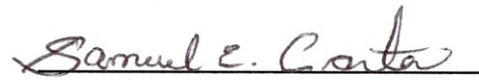
February 6, 2006 @ 6:30 p.m.
Regular Scheduled Meeting
Town Office

February 9, 2006
Legislative Day
Richmond, Va.

February 21, 2006 @ 6:30 p.m.
Regular Scheduled Meeting
Town Office

February 21, 2006 @ 7:00 p.m.
Joint Planning Commission Public Hearing
Town Office

At 8:04 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, January 17, 2006, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at 7:00 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Marvin Mitchell
Shannon Dews
Al Sears
Calvin Tanner
Jerry Hughes
Kevin O'Brien
Steve Conner
Barry Morris
Brian Baines
Robert Johnson

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
John G. Overstreet - County Attorney

At 7:05 p.m. Mr. Carter called the meeting to order and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held in the old J & D Courtroom immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Overstreet requested to make a statement prior to the reading of the petition.

Mr. Overstreet stated that there are several things to look at regarding this petition. One is, if we are looking to grant a conditional use permit for a new business or new use, which he does not think is the case, it appears to him this is part of an existing business because the automobile graveyard is not to be operated as a business, so probably what should be done, if granted, is amending an existing conditional use. It is appropriate to go through this procedure to do this. His question to the Planning Commission is that the County has a couple of ordinances dealing with this issue. 1) On abandoned vehicles – Chapter 158 of the County Code. 2) A provision for Licensing of Junkyards. There is also a provision of the State Code regarding screening of junkyards, with regard to distances from primary & secondary roads, interstates, etc. He would ask tonight to have the Public Hearing and hear comments on the proposed conditional use permit petition. He is also asking that before the Planning Commission makes a recommendation, they allow staff to look into this and report back to them on what we

feel is appropriate, so their decision would work with the two ordinances, the State Code, as well as the zoning ordinance.

Mr. Spencer then read the following petition:

#05-559 – Travis Ford: The applicant is requesting a Conditional Use Permit to allow a vehicle graveyard on Route 460 between Route 609 and Route 667. The property, identified as Tax Map #60(4)B, is 5.05 acres in size and is zoned Industrial District M-1.

The applicants business, Ragnarok, Inc., was the beneficiary of a Conditional Use Permit granted to Hackett Enterprises on August 1, 2005 which allowed the operation of a concrete contractor's facility on this same parcel. Approval of this current request would result in vehicle graveyard becoming a Conditional Use in the Industrial District M-1 and would thus amend the County Zoning Ordinance (Section 170-25).

Mr. Spencer asked if anyone wished to speak in favor of this petition.

Hearing none, Mr. Spencer asked for comments against this petition.

Jeff Lewis, who lives on Phoebe Pond Road, stated he owns the property next door to what was Shadowwood Gardens and even when they were there, the property nearest the residential section was allowed to grow up and contain litter. He called them and asked them to clean it up, but did not get any cooperation. There is a small buffer zone between the active working area and the next property, approximately 100 feet wide, which looks pretty decent at present. He objects to having autos spread across this area against the adjoining property. He feels this will decrease property values. He is not aware of the screening aspect of this ordinance. Another piece of property has a fenced lot containing old trucks, etc, which is also an eyesore. If there is going to be fencing and/or some type of screening, and the area around has a buffer zone, kept clean and the weeds mowed, he may not have a strong objection.

John Carter, of Route 3, Box 23A, Appomattox, VA. Mr. Carter is opposed to this petition. He drives by this area at least twice a day and it is fully visible from the roadway. If the goal of the County is to increase tourism, he is not sure how this would impact that goal. The topography of the land will make screening almost impossible at this point. He feels this type of conditional use is pretty much dependent upon the owner to keep it up.

Tom Powers, Secure Self-Storage, Route 460, Appomattox.- His concern is regarding tourism. He feels this area has collected some pretty bad eyesores and we do not need another one. The contour of the land is not feasible to screening. There are at present 10 or 12 automobiles on the property and it looks bad. These types of business are necessary but we do not need them along the Route 460 corridor as it is not beneficial to our area. Appomattox County has eyesores coming into the County from both the east and west sides.

Mr. Spencer asked for additional comments. Hearing none, he turned the meeting back to Mr. Carter.

Mr. Carter stated that the Planning Commission would meet at the Old Juvenile and Domestic Courtroom immediately following this Public Hearing.

At 7:17 p.m. Mr. Carter closed the Public Hearing.

Samuel E. Carter
Samuel E. Carter, Chairman

On Tuesday, January 17, 2006, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at 7:00 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Marvin Mitchell
Shannon Dews
Al Sears
Calvin Tanner
Jerry Hughes
Kevin O'Brien
Steve Conner
Barry Morris
Brian Baines
Robert Johnson

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
John G. Overstreet - County Attorney

At 7:05 p.m. Mr. Carter called the meeting to order and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held in the old J & D Courtroom immediately following the Public Hearing We will begin a hearing of

each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Overstreet requested to make a statement prior to the reading of the petition.

Mr. Overstreet stated that there are several things to look at regarding this petition. One is, if we are looking to grant a conditional use permit for a new business or new use, which he does not think is the case, it appears to him this is part of an existing business because the automobile graveyard is not to be operated as a business, so probably what should be done, if granted, is amending an existing conditional use. It is appropriate to go through this procedure to do this. His question to the Planning Commission is that the County has a couple of ordinances dealing with this issue. 1) On abandoned vehicles – Chapter 158 of the County Code. 2) A provision for Licensing of Junkyards. There is also a provision of the State Code regarding screening of junkyards, with regard to distances from primary & secondary roads, interstates, etc. He would ask tonight to have the Public Hearing and hear comments on the proposed conditional use permit petition. He is also asking that before the Planning Commission makes a recommendation, they allow staff to look into this and report back to them on what we feel is appropriate, so their decision would work with the two ordinances, the State Code, as well as the zoning ordinance.

Mr. Spencer then read the following petition:

#05-559 – Travis Ford: The applicant is requesting a Conditional Use Permit to allow a vehicle graveyard on Route 460 between Route 609 and Route 667. The property, identified as Tax Map #60(4)B, is 5.05 acres in size and is zoned Industrial District M-1.

The applicants business, Ragnarok, Inc., was the beneficiary of a Conditional Use Permit granted to Hackett Enterprises on August 1, 2005 which allowed the operation of a concrete contractor's facility on this same parcel. Approval of this current request would result in vehicle graveyard becoming a Conditional Use in the Industrial District M-1 and would thus amend the County Zoning Ordinance (Section 170-25).

Mr. Spencer asked if anyone wished to speak in favor of this petition.

Hearing none, Mr. Spencer asked for comments against this petition.

Jeff Lewis, who lives on Phoebe Pond Road, stated he owns the property next door to what was Shadowwood Gardens and even when they were there, the property nearest the residential section was allowed to grow up and contain litter. He called them and asked them to clean it up, but did not get any cooperation. There is a small buffer zone between the active working area and the next property, approximately 100 feet wide, which looks pretty decent at present. He objects to having autos spread across this area against the adjoining property. He feels this will decrease property values. He is not aware of the screening aspect of this ordinance. Another piece of property has a

fenced lot containing old trucks, etc, which is also an eyesore. If there is going to be fencing and/or some type of screening, and the area around has a buffer zone, kept clean and the weeds mowed, he may not have a strong objection.

John Carter, of Route 3, Box 23A, Appomattox, VA. Mr. Carter is opposed to this petition. He drives by this area at least twice a day and it is fully visible from the roadway. If the goal of the County is to increase tourism, he is not sure how this would impact that goal. The typography of the land will make screening almost impossible at this point. He feels this type of conditional use is pretty much dependent upon the owner to keep it up.

Tom Powers, Secure Self-Storage, Route 460, Appomattox.- His concern is regarding tourism. He feels this area has collected some pretty bad eyesores and we do not need another one. The contour of the land is not feasible to screening. There are at present 10 or 12 automobiles on the property and it looks bad. These types of business are necessary but we do not need them along the Route 460 corridor as it is not beneficial to our area. Appomattox County has eyesores coming into the County from both the east and west sides.

Mr. Spencer asked for additional comments. Hearing none, he turned the meeting back to Mr. Carter.

Mr. Carter stated that the Planning Commission would meet at the Old Juvenile and Domestic Courtroom immediately following this Public Hearing.

At 7:17 p.m. Mr. Carter closed the Public Hearing.

Samuel E. Carter, Chairman

On Monday, February 6, 2006 the Appomattox County Board of Supervisors held a Public Hearing at 6:00 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney

John K. Spencer, Assistant County Administrator
Johnnie Roark, County Planner

At 6:00 p.m. Mr. Carter opened the Public Hearing and stated the purpose of the hearing was to receive public comments on any appropriate use of Community Development Block Grant (CDBG) funds and should not be limited to the Carver Price School project.

Community Development Block Grant (CDBG) funding is one of the few dependable sources of funding for small localities, but it's a very competitive process. These are predominately Federal funds for which smaller Virginia communities must compete against each other to secure. Competitive grant applications are accepted by the Virginia Department of Housing and Community Development (DHCD) each March. This year's deadline is March 22.

Mr. Carter then turned the meeting over to Mr. Spencer.

Mr. Spencer stated that last summer the County was awarded some Community Development Block Grant planning funds from the Virginia Department of Housing and Community Development. The county enlisted the services of the Region 2000 Local Government Council to help us with this grant. Here today from the Local Government Council is the Executive Director, Gary Christie and his associate, Scott Smith who will conduct the public hearing from this point.

Mr. Christie stated this was the first of two (2) public hearings in consideration of the CDBG. There is a little over \$8 million dollars available in this year's competitive process, for small communities with a population of under 50,000 to apply for on a State-wide basis. These monies can be use for a variety of purposes for comprehensive community development, which would fix houses, roads, utilities within a neighborhood. It can also be used for economic development projects, but usually they are for attraction of businesses that are manufacturing related businesses that are guaranteed to come in if certain things are done. Examples are, housing and housing renovation, the building of community facilities, utilities, components of water plants, as well as community service facilities such as daycare facilities, facilities for protective populations, such as the elderly and disabled, community centers, health clinics, libraries, schools, hospitals, and skill building facilities for youth and unemployed.

Community Service Facilities must demonstrate that facility development is a clear local community priority in order to be awarded up to \$700,000 for a community service facility.

As stated by Mr. Spencer, we have a little bit of money, about \$25,000 to look into an application for the Carver Price School, as a workforce development center and community facility. This would fall under this Community Service Facilities category and you could apply for up to \$700,000 dollars of these funds.

The way the process works is that tonight this public hearing is on CDBG topics in general. If there are projects or ideas that the community might have, now is the time

for them to bring these ideas before the Board so that you can hear what the needs are and what the interests are of people in the community for use of CDBG money. A month from now, another public hearing would be held on a specific topic that the County proposes to look at to submit a CDBG application for. If it is the Carver-Price School, we would have a much clearer idea of what this application would do, renovation wise.

Mr. Christie introduced Scott Smith, who is doing grant writing and community development projects. His last position was Main Street Director for the City of Bedford. He has a very strong background and knowledge of grants and down-town development. They will be glad to answer any questions that the Board or the general public may have. They also have some handouts related to CDBG and what is involved with it.

Mr. Conrad questioned if according to the documentation given to the Board tonight, indicates that out of the \$8.5 million that is earmarked for competitive purposes, that we could be eligible for up to \$700,000, based on a community facility.

Mr. Christie stated that there were different caps on different types of projects for economic development or housing. But for the Carver-Price project you could get up to \$700,000 to be used for renovation, etc. Also, there is no match required necessarily, but because you are competing with other communities, the more you can put out as a match, the better the application looks. He feels that the monies CVCC puts into this project could act as matching funds.

Mr. Bill Slagle, Route 2, Box 400, Spout Spring, VA: Mr. Slagle is here to encourage the efforts for a workforce training center. The educational opportunities offered by Central Virginia Community College is critical for people to upgrade their skills. Another reason is that there is no public transportation to and from the community colleges in the area and this can be a barrier for those who wish to further their skills and education. Also, for businesses already here and for those proposing to locate here, this would be an asset for the County. It could also offer unemployed and under-employed citizens a way to get a better job.

Ms. Martha Eagle, Appomattox County Schools: Ms. Eagle stated she was speaking on behalf of the Appomattox County Public School Division. The school division supports fully the concept of the Workforce Development Center at the Carver-Price Complex for Appomattox County. Appomattox generally has the highest unemployment rate in the region. They also have a significant number of residents who have neither a high school diploma nor a General Education Development (GED) diploma. These two factors would make Appomattox a prime location for a workforce training center. The rural nature of Appomattox, coupled with the lack of public transportation to the City of Lynchburg as well as Farmville, have hindered many of our residents from pursuing employment or training. Having a facility within the County would mediate these barriers, and open new doors for many of our residents. We believe that the workforce development center would be a catalysis to significant economic improvements for Appomattox County and a wonderful adjunct to our high

school program and offerings. They are excited about the concept of a workforce training center.

Ms. Magda Liska, P. O. Box 37, Appomattox, VA: Ms. Liska is speaking on behalf of AWAG of which she is President. AWAG is a non-profit organization that formed in 2000. In looking at the Community Development Block Grant, they were wondering if it could in turn solve one of their basic needs, which is, they do not have a building to serve as the center of their operation and they are frustrated by the fact that there are many buildings that could be restored, given proper funding. They feel that a lot of the work they do is connected to the poverty in the community. There are thousands of animals that are caught, housed and euthanatized each year at the expense of the County. They feel the need for a resource center, a library on animal training and care and humane education. They receive hundreds of calls to pick up animals, as well as the Animal Control Warden, who has more calls than he can handle. AWAG has almost reached their goal of \$160,000 to help with the care and transporting of animals to a clinic. They would like to apply for funding for a building to suit their needs.

Ms. Jackie Drinkard, 201 Paint Road, Pamplin, Va: Ms. Drinkard is the President of the Appomattox Chamber of Commerce. The Chamber supports the concept of the workforce development center. She has been working with Mr. Christie and Mr. Smith for a while, and feels all the areas involved in the Carver-Price project are vital to our community. Her number one goal is to help the businesses in the area and the chamber members to benefit most from this concept. Most of the businesses she has spoken with are in full support of this workforce development center.

Mr. Carter asked if anyone else wished to speak at this time.

Hearing none, at 6:20 p.m. Mr. Carter closed the public hearing.


 Samuel E. Carter, Chairman

On Monday, February 6, 2006, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:
 Aileen T. Ferguson – County Administrator

John K. Spencer – Assistant County Administrator
 Johnnie Roark – County Planner
 John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order, gave the invocation and asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

Remove second part of item 8 – Set date for Public Hearing on Proposed Changes to the County Code relating to automobile decals.

ADD: Item 8A – Town Office Building Renovations

Mr. Carter next called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one had anything to discuss at this time.

Mr. Carter called for the next item on the agenda – **APPEARANCES:**

Mr. Bill Slagle, Chairman, I.D.A. – Mr. Slagle meets with the Board to provide an update on activities at the industrial park.

Mr. Slagle stated that he had spoken with Lee Cobb prior to this presentation. Mr. Cobb said that the general climate is quite good, with the exceptions of pockets in Martinsville and Danville. We have more people working in Region 2000 than at any point previously. Unemployment is less than 4%. We know of 25 companies that are working the Virginia Requirements for Assistance that are planning to employ 2300 persons over the next two years. Areva has stated they plan to employ around 200 engineers, Liberty University will add over 1,000 students which mean another 150 employees.

We always look at Appomattox being on the low end of the unemployment rate. He is reminded that the climate is not where you are, it is how far you came from where you were. This means, we have come a fair ways, however, we are not happy with where we are. This summer we had the Governor's visit, which was well publicized and attended by a good crowd. It was good for the County and it makes Appomattox the major hub in the Mid-Atlantic Broadband System. We are at the crossroads of the Southside Virginia Initiative along with the Fiber Optics connection extended to Washington via the pipeline. This, of course, puts an additional pea in our pod. We hope to connect the schools in the system. Mr. Slagle then asked Mr. Spencer to elaborate on the Broad Band Initiative.

Mr. Spencer stated that basically the Governor's visit has brought a lot of attention to the Broad Band or the lack of such here in the County. It has also brought a lot of attention to Appomattox County from throughout the State. We are working through and with Mid-Atlantic Broad Band to see how we can take care of the last mile. How do we serve our community? The outcome may not be one that serves the entire County at one time. There are still some issues that need to be overcome.

Mr. Slagle informed the Board that the IDA has had some prospect visits and have one actively under consideration. The existing businesses, Martin Printwear, has had tremendous success; Lynchburg Ready Mix has purchased 12+ acres and they are coming right along and they should be operational in the Spring.

Mr. Slagle also stated the Industrial Development Authority (IDA) would like to change their name to Economic Development Authority (EDA) because Economic Development Authority more closely represents what we are about.

Mr. Carter called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 9)

1. **VDOT Resolution:** VDOT is requesting that you adopt the enclosed resolution taking Pine Crest Lane located in Country Haven Estates into the State Secondary Road System. Country Haven Estates Homeowners Association has deposited \$35,000.00 with the County for their part of the construction cost.

Mr. Conrad made a motion, seconded by Mr. Moore, to adopt the following VDOT Resolution placing Pine Crest Lane located in Country Haven Estates into the State Secondary Road System.

RESOLUTION

WHEREAS, the street described below was established April 25, 1979 and currently serves at least 3 families per mile, and

WHEREAS, the Virginia Department of Transportation is assisting the County to improve its current subdivision control ordinance so that it meets all necessary requirements to qualify the county to recommend additions to the secondary system of state highways, pursuant to §33.1-72.1, Code of Virginia, and has granted the County a cooperative period in which to accomplish that goal, and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following street be added to the secondary system of state highways, pursuant to §33.1-72.1, Code of Virginia:

Name of Subdivision: Country Haven Estates

Name of Street: Pine Crest Lane

From: Route 750 (Chestnut Mountain Drive)

To: 0.31 mile south Route 750 to cul-de-sac
Length: 0.31 miles

Guaranteed Right-of-Way

Width: 50 feet

Plat Recorded: 04/25/1979 Plat Book:2 Page 33-34

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described above, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to §33.1-75.1, Code of Virginia, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and a county check in the amount of \$35,000.00 representing the County's revenue sharing contribution to revenue sharing allocations in Fiscal Year 05-06 and fifty percent of the Department's cost estimate of \$70,000.00 be forwarded to the Residency Administrator of the Virginia Department of Transportation.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Request to Reduce Speed Limit on Route 24:** As you will remember Reed Johnson with the National Historical Park appeared before you at your last meeting and requested you to support the concept of a hiking/biking trail along Route 24. Mr. Johnson explained that in order for this concept to come about, the speed limit would have to be lowered and VDOT would have to agree for the construction to take place in VDOT right-of-way.

Mr. Craft stated he is not in favor of this request. He has not spoken to anyone in particular regarding this matter, but those he has spoken to are not in favor of this. They travel this road to and from work, shopping, etc., and feel this would create a speed trap. Also, many trucks travel this route and they would have to gear down and then try to get up enough speed to make it up some of the grades. He does not feel this request would benefit the county at this time.

Mr. Conrad agreed with Mr. Craft's comment regarding the traffic hazard by truckers having to try to regain speed for the uphill grades. Also, Mr. Johnson stated that this would probably not take place for another ten years, so he does not feel this is something we need to look into at this time.

Mr. Moore stated he has been approached by many residents of that portion of the county and no one he has spoken to, is in favor of reducing the speed limit along this section of Route 24. Mr. Moore also stated he would like to see the speed limit along Route 26 lowered. The number of logging trucks traveling Route 26 at a high rate of speed, is a bomb happening to explode.

Mr. Armbrust also agreed with the other members in not approving this reduced speed zone.

Mr. Carter stated he has been getting a different story. Everyone he has spoken to regarding this, at first were against this plan. However, when it comes to promoting tourism in and around the Historical Park, they seem to have a change of heart and think it may be a good idea.

Mr. Craft made a motion, seconded by Mr. Conrad, to deny the request by the National Historical Park Service to lower the speed limit along Route 24 for the purpose of establishing a hiking/biking trail along this route. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, nay. (4 aye and 1 nay vote)

- 3. Planning Commission Appointment:** Mr. Craft has someone that is willing to serve on the Planning Commission from the Appomattox River District.

Mr. Craft stated that Mr. George (Spud) Almond has expressed a desire to serve on the Planning Commission as the representative from the Appomattox River District. Mr. Almond works for J. E. Jamerson & Sons. Jamerson has very little going on in the County at the present time. Mr. Craft feels Mr. Almond will make an excellent addition to the Planning Commission.

Mr. Craft made a motion, seconded by Mr. Conrad, to appoint George Almond to the Planning Commission for a two (2) year term to commence 1/1/2006 and end on 12/31/2008. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

- 4. Resolution request from Central Virginia Community Services Board:** Augustine Fagan, Executive Director, writes asking the Board to adopt a resolution allowing Central Virginia Community Services to participate in the VML/VACo Commercial Paper Finance Program.

Mr. Overstreet commented that this does not require anything unusual as the Code of Virginia requires that the Community Services Board be authorized by the participating localities before borrowing money and he thinks they feel this applies to refinancing. The language is such that the County is not pledging re-payment or full faith in credit. The County does not have any obligation, this is just a statutory requirement. This appears to him to be a re-financing. He does not have any problems with this resolution as submitted.

After some discussion by Mr. Craft, Mr. Moore made a motion, seconded by Mr. Craft, to adopt the following resolution allowing Central Virginia Community Services to participate in the VML/VACo Commercial Paper Finance Program:

**RESOLUTION OF THE
APPOMATTOX COUNTY BOARD OF SUPERVISORS
APPROVING THE ISSUANCE OF DEBT BY THE
CENTRAL VIRGINIA COMMUNITY SERVICES BOARD
AND RELATED MATTERS**

WHEREAS, the Board of Directors of the Central Virginia Community Services Board (the "Board") has authorized the submission of a financing application (the "Application") to the Virginia Municipal League / Virginia Association of Counties Commercial Paper Finance Program (the "VML / VACo Commercial Paper Program") for the purpose of refinancing certain existing indebtedness of the Board (the Existing Indebtedness") through the issuance of one or more notes or bonds of the Board in a principal amount not to exceed \$1,7000,000 (the "Note").

WHEREAS, pursuant to Chapter 5, Subtitle II, Title 37.2 of the Code of Virginia of 1950, as amended (the Act"), including Section 37.2-504 of the Act, the Board is authorized to accept loans as authorized by the governing bodies of the political subdivisions that established, which consist of Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg (collectively, the "Member Jurisdictions"), and such consent is being requested prior to the issuance of the Note by the Authority.

NOW, THEREFORE, BE IT RESOLVED:

1. The Appomattox County Board of Supervisors (the "Locality") hereby approves the submission of the Application and consents to the issuance of the Note by the Board in order to refinance the Existing Indebtedness and to pay related costs and expenses, upon terms and conditions, and pursuant to such financing, collateral, and other documents, as shall be approved by the Board pursuant to a subsequent resolution adopted by the Board.
2. Each duly authorized officer of the Locality is hereby authorized to execute and deliver such additional instruments or to take such additional actions as may be reasonably necessary to effectuate the purposes and intent of this Resolution and the issuance of the Note by the Board. Under no circumstances, however, shall the payment of debt service on the Note constitute a general obligation indebtedness or a pledge of the full faith and credit or taxing power of any of the Member Jurisdictions.
3. This resolution shall take effect immediately.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next introduced **Ms. Terri Conrad, Appomattox Historical Foundation**, to address the Board. Ms. Conrad is appearing to request space in the old elementary school building to house several filing cabinets.

Ms. Conrad stated that everyone was familiar with trying to get a Historical Appomattox Foundation started in the County and they have just received an official Title 501C3 ruling letter that the foundation is now officially a part of the Appomattox County Community. The purpose of this foundation is to strengthen the historical connection for all of Virginia and to help with tourism efforts and they have taken as their motto "This is the Place where the North and South were Re-united". As you may already know,

they have been successful in raising monies to help with the re-enactment. They will be doing several things which they feel you will be proud of.

At one of their meetings, they found they do not have any place to store their records: donation letters, ruling letters, tax forms and other papers. They thought that perhaps the Board would allow them to use some space in the old elementary school. They also thought this space could be used by other non-profit organizations as a Appomattox Non-Profit Center to be used for executive meetings, etc. They feel that one classroom would be sufficient.

Mr. Carter congratulated Ms. Conrad and the organization for achieving the Federal 501C. Mr. Carter further stated that the uses for the elementary school are still in the planning stages and are we trying to get "paying" tenants in the building to help with expenses. The Board will keep this request in mind when planning for the use of the building.

Mr. Carter next returned to the **ADMINISTRATIVE ITEMS:**

5. **Appomattox County Chamber of Commerce:** The Appomattox County Chamber of Commerce is requesting the use of Courtland Field on June 16, 2006 for one of their Friday Cheers events.

Mr. Craft commented on the waiving of the \$100.00 damage deposit. If the ground is wet and vehicles get stuck and tear up the area, who would be responsible for repairing the damage.

Ms. Ferguson stated that this is not the \$500.00 Bond on the Musical & Entertainment Permit which we have in the past waived. This is the recreational agreement where you rent any of the facilities that Ms. Dixon oversees. In that agreement, a \$100.00 damage deposit is required and if everything is left in good order, this deposit is returned. This is the first time, we have been asked to waive this fee.

Mr. Armbrust made a motion, seconded by Mr. Craft, to grant the request from the Appomattox County Chamber of Commerce to use Courtland Field for a Friday Cheers event to be held on June 16, 2006, excluding the waiving of the \$100.00 damage deposit, which they will be required to pay. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Funding Request by Chief Magistrate:** Several months ago we received a request from William I. Oakes, Jr., Chief Magistrate for the 10th Judicial District, explaining that he might be making a request of each locality for them to pay a share of his office expenses. That request was received in a letter dated January 31, 2006.

Ms. Ferguson reminded the Board that when this came up before there was some discussion about it and Mr. Overstreet had done research into the Code and he has refreshed his memory on that research and if the Board would like, he is in a position to let you know what he has found and go over his recommendations.

Mr. Overstreet explained that the Code of Virginia says that in a locality that has district courts, that there shall be Magistrates appointed for those areas. The district courts are the General District and Juvenile Courts. The Code also says that the Chief Judge of a Circuit may appoint a Chief Magistrate (not shall but may). In this letter, it sets out where the Circuit and District Courts are. There are several counties. His reading of the Code is that we are required to provide space for Magistrates. It is silent on Chief Magistrates. Because the Code says "may be appointed" he questions our authority to fund them. He suggests that he write the Chief Magistrate telling him that in reviewing those statutes he does not see any authority for us to fund this. If he can provide any authority, Mr. Overstreet will bring it back to the Board for consideration.

The Board by consensus, agreed to have Mr. Overstreet write a letter to the Chief Magistrate asking for the statutes that state we have to provide this space.

- 7. Community Park Rules:** Ms. Dixon has provided rules for the new Community Park for review, comment and approval.

**THE PARK IS OPEN FROM SUNRISE TO SUNSET
PARK RULES**

- **Alcoholic beverages or other controlled substances are prohibited.**
- **No trespassing after posted park hours**
- **No pets allowed in park**
- **The amplification of music, speeches, or any other sound audible beyond 50' is prohibited**
- **The use of vulgar language or profanity will not be tolerated**
- **Motorized vehicles must park in designated parking areas only**
- **No littering or glass containers allowed**
- **No camping or open fires permitted**
- **No vehicle can be left in park after posted hours**
- **No ATV's or four wheelers allowed in park**
- **The destruction of any park property is strictly forbidden**

**ALL PARK RULES WILL BE ENFORCED
VIOLATORS WILL BE PROSECUTED**

**FOR INFORMATION REGARDING SPECIAL USE PERMITS, PLEASE CONTACT
THE APPOMATTOX COUNTY PARKS AND RECREATION DEPARTMENT**

Ms. Ferguson informed the Board that Sheriff Staples and others have reviewed these rules and feel Ms. Dixon has covered everything necessary for the safe usage of the park.

Mr. Armbrust questioned the amplification of music, speeches, or any other sound audible beyond 50' if prohibited. He does not feel we should lock ourselves into a 50' distance.

Ms. Ferguson will have Ms. Dixon look into the 50' sound ruling and get back with the Board at a later date.

Mr. Armbrust also questioned the rule regarding no ATV's or four wheelers in the park. Will ATV's be used to drag the field.

- 8. Public Hearing Dates:** Need to schedule dates for two (2) public hearings. One date is for the second public hearing for the CDBG grant. This is required by the grant process. The second public hearing is for the Proposed Changes for the County Code relating to automobile decals.

Mr. Craft made a motion, seconded by Mr. Armbrust, to schedule the second public hearing for the CDBG grant for March 6, 2006 at 6:00 p.m. in the Town Office, located on Linden Street. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Overstreet informed the Board that he has spoken with the Treasurer concerning automobile decals. Campbell County has made an effort to amend their ordinance on the License Fees for Automobiles and has done away with the decals, using the receipt one gets when paying this fee rather than having an actual decal on the vehicle. The enforcement is through DMV, by not being able to get your State tags until this has been paid. Also, they are proposing to have your decal on an annual calendar basis rather than from April 1st to March 31st of the following year. This would gear the payment of your License Tax with your Personal Property Tax (December 5th). The discussion was to have an ordinance adopted now, where the Board then would for this year have the License Fee paid from April thru December which would get us to the calendar year for the next year. There was such a rush to try to get this done, he suggested putting this into effect before December 5th. So when you pay your License Fee for this year, you will be paid thru March 31st of 2007. If we adopt an ordinance where you pay your License Fee on December 5th for 2007, you would only pay for three-fourth of the year for 2007. Rather than making 2006 a short year, we will make 2007 the short one. This will also buy us some time, plus for budget purposes it will not cut you short this budget year.

The public hearing for the Proposed Changes to the County Code has been postponed until later.

- 8A. Town Meeting Room Renovation for the lower level (old fire department):** The Board needs to let the Town of Appomattox know its final decision on sharing the expenses of remodeling the old fire department for a meeting room.

Mr. Craft commented that the County owns too many of its own buildings, that need to be renovated or repaired and he feels we should look into using one of these properties.

Mr. Moore also feels we should make use of our own facilities.

Mr. Armbrust also feels we should consider using one of our own buildings.

Mr. Conrad stated that we do not own the Town Office building. The Board should have its own space for meetings, etc. We need to thank the Town for the use of Council Chambers and move forward to finding another location to house the Board of Supervisors. Until such time as we locate a suitable meeting location, he suggests that we use the Appomattox Community Center on a temporary basis.

The Board by consensus, approved for Ms. Ferguson to notify David Garrett, Town Manager, of the Board's decision.

- 9. Planning Commission Action from the January 17, 2006 Public Hearing:**
PETITION 05-556 – Travis Ford: The applicant is requesting a Conditional Use Permit to allow a vehicle graveyard on Route 460 between Route 609 and Route 667. The subject property, identified as Tax Map Number 60(4)B, is 5.05 acres in size and is zoned Industrial District M-1. The applicant's business, Ragnarok, Inc., was the beneficiary of a Conditional Use Permit granted to Hackett Enterprises on August 1, 2005 which allowed the operation of a concrete contractor's facility on this same parcel. Approval of this current request would result in vehicle graveyard becoming a Conditional Use in the Industrial District M-1 and would thus amend the County Zoning Ordinance (Section 170-25).

The Planning Commission tabled the discussion on the above petition. Additional research is required by the County Attorney.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 10 – 15)

- 10. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 11. AWAG:** Please appropriate by consent and supplement \$6.08 to the AWAG donation line in the budget due to additional funds received from the State for the purchase of Animal Friendly Plates.
- 12. Workforce Development Project:** Please appropriate by consent and supplement \$81.18 to 8105-6013 to pay part of the County match for the Planning Grant received from CDBG for the old elementary school.

FUND TRANSFER:

- 13. Community Park/Sports Complex:** Please transfer \$3,000.00 by consent from the Community Park/Sports Complex Fund to pay James Jackson for masonry work performed at the Park, and appropriate to 7101-3002.

LINE ITEM TRANSFERS:

- 14. Planning:** Please transfer by consent and appropriate \$23,066.00 from Operating Reserve to the Zoning and Subdivision Budget to cover salary and benefits for planner position.

Also, please transfer by consent \$1,448.00 to the Zoning & Subdivision budget for the purchase of a computer for planner.

- 15. Landfill:** Please transfer by consent \$1,230.00 from recycling to landfill budget for increase in employee salary.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 16 – 24)

- 16. Letter from Tom W. Fore, Chairman, Amherst County Board of Supervisors:** Chairman Fore writes the Board thanking you for your support and cooperation throughout the exemption process for the Proposed Regional Jail Project. He also noted their thanks to Delegate Abbitt for his efforts in the presentation and support of the bill.
- 17. Virginia Byway Designation – Route 47:** The Department of Transportation has notified us that the Virginia Byway Designation for Route 47 has been approved.
- 18. Department of Transportation:** Please find enclosed the construction and maintenance performance quarterly report for the second quarter FY06.
- 19. Appomattox County School Board Meeting Calendar – 2006:** Enclosed for your information is the 2006 meeting calendar for the School Board.
- 20. Department of Health:** The Health Department has provided the land application sites for Nutri-Blend, Inc. in Appomattox County.
- 21. Robert E. Lee Soil & Water Conservation District:** Minutes of the Board of Directors Meeting of the Robert E. Lee Soil & Water Conservation District held on November 17, 2005.
- 22. Information and Referral Center:** Quarterly Information and Referral Center of Central Virginia's Problems/Needs Inquiries.
- 23. Water Supply Planning Grant:** As you will remember we joined with other localities in Region 2000 to apply for a Water Study Planning Grant. Enclosed is the notification that was posted on the DEQ Website. Our Regional grant was approved.
- 24. Construction Costs Provided by Blair Smith:** Blair Smith has provided us with a chart showing how school construction costs have been escalating over the last several years.

Mr. Conrad commented that the information provided by Blair Smith regarding the escalating costs of school construction was especially interesting and could be a useful tool in dealing with the school budget.

Mr. Carter introduced Mr. Johnnie Roark, the new County Planner, and welcomed him as an employee of the County of Appomattox.

Mr. Carter then called for **SUPERVISOR CONCERNS:**

Mr. Conrad is quite concerned about the Lynchburg Ready Mix property on Route 460 at Concord. They had promised us that they were going to demolish this site. Demolish means removing the silo as well as the building on the property. The silo has been taken down but left on the property and the building is still standing. He would like for Mr. Overstreet to remind them that this needs to be taken care of as promised.

Mr. Armbrust stated that when we talk about tourism and cleaning up, we as a Board need to back up and have the new zoning person look at cleaning up some of these areas.

However, his main concern is he has had several phone calls regarding the Rescue Squad. Mainly they are about a paid rescue squad. He feels the volunteers do a wonderful job but too often by the time a crew gets together, the injured/sick person, gets worse. Many of these people stated they would be willing to help raise money or whatever is necessary. He feels this is a major concern and that the citizens are willing to go the extra mile and pay a little extra to make this work.

Ms. Ferguson, speaking on behalf of the Rescue Squad, stated they have missed a couple of committee meetings and that will not get any better as the Board will soon be starting the budget process. Also, there has been a change in leadership and they really need to have a meeting.

Campbell County is trying to get some paid personnel, so we will be hearing from Concord very shortly with a discussion in that area because we are not sure of the impact this will have on Appomattox County citizens. Avenues are being pursued to see what can be done to help with this situation.

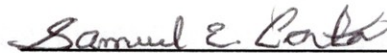
Mr. Craft commented that he is still receiving a few complaints about the Rescue Squad but they have slowed down somewhat.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**
Tuesday, February 21, 2006 @ 6:30 p.m.
Regular Scheduled Meeting
Town Office

Monday, March 6, 2006 @6:00 p.m.
Public Hearing
CDBG Grant

Monday, March 6, 2006 @6:30 p.m.
Regular Scheduled Meeting
Town Office

At 7:42 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Tuesday, February 21, 2006, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called attention to the **Setting of the Agenda:**

There were two (2) items to be added:

Add to Item 5 – we need to add: Insurance on the Pamplin Community Center to the request for Insurance on the Pamplin Fire Department Building.
Add 7A – Request for Office Space from the Historical Foundation.

Mr. Carter then called for **Citizen Public Comment Period:** This time is provided by the Board to allow Citizens to appear to discuss issues that are of important or concern to the citizen.

There was no one present to speak at this time.

Mr. Carter then called for action on the **ADMINISTRATIVE ITEMS:** (Items 1-7A)

1. Abandonment of a Portion of Route 843: Mr. Thomas Cawthorne has requested that a portion of State Route 843 be abandoned. VDOT has reviewed the request and contacted the other property owners on Route 843 and they are in agreement with this request. They are asking the Board to adopt a resolution directing the clerk to publish the necessary notice as required by Code.

Mr. Moore made a motion, seconded by Mr. Conrad, to adopt the following Resolution and proceed with the abandonment process:

***RESOLUTION TO CONSIDER ABANDONING A PORTION OF
SECONDARY ROUTE #843 IN APPOMATTOX COUNTY, VIRGINIA***

WHEREAS, a petition has been filed by Thomas W. Cawthorne to abandon a 600' portion of State Route #843 at its terminus; and,

WHEREAS, pursuant to the language of the Code of Virginia, the Appomattox County Board of Supervisors must duly consider this request of abandonment; and,

WHEREAS, the Code of Virginia requires that a Notice of Abandonment be posted in three (3) locations along the affected road at least 30 days prior to the Resolution of the Board abandoning this road; and,

WHEREAS, the Code of Virginia also requires that a Notice of Abandonment be published in the newspaper of local circulation at least two (2) times 30 days prior to the Resolution of the Board abandoning a road; and

NOW THEREFORE, BE IT RESOLVED THAT the Appomattox County Board of Supervisors does hereby note receipt of said Petition of Abandonment and agrees to schedule consideration of said Petition for April 3, 2006, after proper public notification according to the laws of the Commonwealth of Virginia, including notification of the Commonwealth Transportation Board.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Cost Allocation Plan Audit Proposal:** Robinson, Farmer, Cox Associates, the County Auditor's, have submitted a proposal for preparing the County's central services Cost Allocation Plan. The County Attorney has been contacted concerning this and he feels that the Board should consider this a sole source proposal and amend our contract with Robinson, Farmer, Cox Associates to include the Cost Allocation Plan.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust, to deem this as a sole source proposal and amend our contract with Robinson, Farmer, Cox Associates to include the preparation of the Cost Allocation Plan. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Proposal for Engineering Services:** Hayes, Seay, Mattern and Mattern has provided a proposal for continued engineering services for the construction phase of the landfill gas extraction system. The County Attorney has been contacted and he may want to comment on this proposal.

Mr. Overstreet stated he would like to address a couple of items. There were a few things in the contract he had talked to Ms. Ferguson about. 1) the multiple factor for some of the additional work of 1.1 and they have agreed to 1.0, so we did not have to pay any mark-up; 2) There was also a provision concerning the jurisdiction, if there is some type of suit, and they wanted Roanoke and the Federal Court in Roanoke. They have agreed to Federal Court in Lynchburg and Appomattox as the jurisdiction. He is still having discussions concerning items #7 on page 17, which is the Allocation of Risks. He is not too keen on the way this was written. It limits some of their liability and he may be willing to agree to this but he does not like some of the wording. He has spoken to Mr. Payne with HSMM today and he is getting in touch with their attorney. Actually, Mr. Overstreet feels he needs to talk with their attorney about this. His suggestion to the Board is to approve the Contract, subject to his review and approval as this is really a legal matter in regard to the risks and liabilities.

Mr. Carter had a question regarding "Random Site Visits". How critical is this. We know from experience that we may run into some problems that may surpass this and are they going to be willing to acknowledge this and provide whatever necessary to take care of the problem.

Mr. Overstreet explained that this is covered in Section 5.5 on a cost basis.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the contract with Hayes, Seay, Mattern and Mattern, contingent on the approve of the County Attorney. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Old Appomattox Elementary School Cost Estimates:** The architects have provided cost estimates for the entire renovation project at the old elementary school. I would like for you to schedule a work session so that we can review these estimates and consider the space allocation.

The Board by consensus agreed to have a work session on March 2, 2006 at 6:00 p.m. in the old Juvenile & Domestic Courtroom, upper level of the County Administration Office.

5. **Insurance on the Pamplin Fire Department Buildings/Contents and Pamplin Community Center:** Mr. Don Thornhill has toured the new animal pound and is prepared to place this building on our policy when we are ready to assume possession of the building. While Mr. Thornhill was in Appomattox, he also went to the Pamplin Volunteer Fire Department and Pamplin Community Center to check to see if these have adequate coverage.

After a lengthy discussion, Mr. Conrad made a motion, seconded by Mr. Moore, to accept Mr. Thornhill's estimate for the additional insurance coverage, but not to include the Pamplin Community Center. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye; (5 aye votes)

5. **Engineering Fees:** Draper Aden Associates was hired to do some modeling and system analysis in order to provide the needed information that would help determine the water rates if we purchased water from Campbell County Utilities and Service Authority. CCUSA was going to pay half of the cost with the Town and County paying the other half. As the project progressed there were some cost overruns and Draper Aden is asking if the parties would consider paying the additional expenditures. CCUSA is willing to pay half of the additional costs and is asking that we (Town and County) pay the other half.

Mr. Craft asked why there were cost overruns.

Mr. Garrett, Appomattox Town Manager, stated that Draper Aden Associates gave a price but the project was more than they were aware.

Ms. Ferguson stated the Town/County is not in a contract with Draper Aden, we only agreed with Campbell County to pay a portion of this cost.

Mr. Craft made a motion, seconded by Mr. Armbrust to table this matter until more information is available. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 7. Meeting Place for Board Meetings:** It has become apparent during the discussion over the Town Office Renovation that the Board needs to find their own place to hold regular meetings. The Town Council has been most gracious and the Town Manager has made every effort to make us feel at home but there are times when meeting dates conflict. Ms. Ferguson has checked with Ms. Dixon at the Community Center and that building will be available for the second meeting in March 2006.

Mr. Carter began by thanking the Town Council and the Town Manager for extending the courtesy of their Chambers for Board meetings.

Mr. Craft made the statement that the Community Center would provide space for the Planning Commission to hold their meetings as well as the Board Meetings which would be more convenient.

Mr. Moore made a motion, seconded by Mr. Conrad, to move the Board of Supervisors meetings to the Appomattox Community Center beginning with the second meeting of March 2006. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 6:55 p.m. Mr. Carter called for a recess.

At 7:30 p.m. Mr. Carter reconvened the meeting following the Public Hearing.

Mr. Carter presented item:

- 7A. Request for Office Space from the Historical Foundation:** At a previous meeting Mrs. Conrad explained to the Board that there was some need for office space for some non-profit organizations. She was actually asking for space in the old elementary school. As you are aware, that plan has pretty much been set into place, not that it can't be changed but most of the space there has been spoken for and this did not seem to be an appropriate place. After the meeting, Mr. Spencer commented that maybe the Old Courthouse would be an appropriate spot since there are offices located on both sides of the Courtroom. This building is not being used and there is minimum heat available. Mrs. Ferguson is proposing that some space be offered to this group in one of the wings of the Old Courthouse. Mr. Overstreet seems to think that a public hearing would be necessary in order to allow this to occur. Plus, we may also want to approach the Historical Society and see if they would like some space also.

We would not be turning anything over to anyone, we are just going to allow them the use of some of this area. There would not be any alterations to the interior of this building in any way, therefore, we would not have to meet ADA requirements.

Mr. Overstreet stated that we have a form of lease agreement that could be used for this purpose.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust to schedule a Public Hearing on the use of the Old Courthouse 6:00 p.m. on March 20, 2006 at the Appomattox County Community Center. VOTE: Mr. Armbrust, aye; Mr. Conrad, abstain; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 abstaining)

Mr. Carter asked **Mr. Rex Hammond, President and CEO of Lynchburg Regional Chamber of Commerce and Ms. Janice Crawford with Areva** to address the Board. Mr. Hammond has requested to meet with the Board to request funding for a project that they are working on at the Lynchburg Regional Airport

Mr. Hammond stated he is here to request your support for an initiative to restore air service between our region and Dulles Airport in Washington D. C. A negative by product of the 9-11 terrorist attack was our region lost one-half of its air service, including the abandonment of United Airlines to Lynchburg Regional Airport. We created an air service partnership with some of the largest business in our region that utilized the Lynchburg Regional Airport and they are here tonight to enlist your support for an initiative to work with a regional carrier that works with United to re-establish air service to Dulles. You may be aware that our air service partnership brokered an arrangement some years ago and raised \$100,000.00 and a \$500,000.00 DOT Grant. This money directly resulted in our recruiting jet service. We try to keep our finger on the pulse of businesses in our region and time and time again, we are being told that Dulles is the one destination we need to tap into. Not only will it serve existing businesses because Lynchburg Regional Airport largely is a business airport, there are also tourism opportunities for general consumers. In terms of economic development in recruiting businesses in the future, we think we would have a much stronger hand if our Charlotte/Atlanta service were joined by a northern connection. They are requesting that Appomattox pledge \$3,292.00 to assist their efforts in this endeavor.

Ms. Crawford is with Areva, one of the larger businesses using Lynchburg Regional Airport. Ms. Crawford stated she is a part of the Airport Commission as well as the Manager of Travel Services for Areva. They have a \$10 million air budget, so they have a significant interest in this area. They have banded together as one team and they are dealing with airlines now. Timing is everything. They sent letters to forty (40) businesses that rely heavily on air transportation. The Industrial Development Authority for Lynchburg has graciously put on the table \$20,000.00 to kick start this effort. They are trying to raise \$80,000.00 to be spent in marketing and start-up costs. They will be meeting with Colgan in mid-February to present a proposal for service from Lynchburg to Dulles.

After a brief question and answer period, Mr. Carter thanked Mr. Hammond and Ms. Crawford for coming.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 8-14)

- 8. **Approval of Minutes:** Please approve minutes of Public Hearing on 12-19-2005; Regular Meeting on 12-19-2005; Organizational Meeting on 1-3-2006; Regular Meeting on 1-17-2006; and Public Hearing on 1-17-2006.
- 9. **Approval of Bills:** Please approve bills for payment as presented.

FUND TRANSFERS:

- 10. **Law Library Fund:** Mrs. Williams is requesting an appropriation from the Law Library Fund to pay bill from LexisNexis in the amount of \$590.11.

SUPPLEMENTAL APPROPRIATIONS:

- 11. **County Administrator:** Please appropriate by consent and supplement \$330.93 to the telephone line in the County Administration budget for refunds received from Verizon.
- 12. **General District Court:** Please appropriate by consent and supplement \$250.00 to the General District Court budget for a typewriter that had to be replaced.
- 13. **Library:** Please appropriate by consent and supplement \$734.06 to various line items in the Library budget for fees received.
- 14. **Appomattox County Public Schools:** Please appropriate by consent and supplement the following requests from the school system:
 \$9,866.20 for additional funds received from United Way
 \$2,332.99 for funds received from Hope Community Services, Inc.
 \$7,026.96 for funds received from Assistive Technology
 \$3,836.00 for funds received from Virginia Tobacco Settlement Foundation Grant
 \$13,638.90 for funds received from Virginia Department of Medical Assistance
 \$15,752.19 for funds received from 21st Century Learning Grant
 \$940.67 for funds received from retirees for dental coverage

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the Consent Agenda as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:** (Items 16 – 20)

- 16. **Appomattox County Public Schools:** Enclosed for your information is the monthly financial report for the school system for the month of January 2006.
- 17. **Lynchburg Ready Mix Property on Route 460:** Mr. Spencer spoke with Mr. O'Brien about the concerns that were expressed by the Board at the last meeting. Mr. O'Brien says that the silo will be moved within 45 days. Also, someone is removing the fencing and once that has been completed, he will clean the property up for resale.

18. **Letter from Rhoda Allen:** Ms. Allen wrote requesting the Board to approve the School Budget as presented.
19. **Appomattox County Parks, Recreation and Tourism Report for February 2006:** Ms. Dixon has provided her monthly activities report for your information.
20. **Use-Value Taxation in Virginia:** Horizons has provided a brief description of how land use works in Virginia.

Mr. Carter next called for **SUPERVISOR CONCERNS:** (Item 21)

Mr. Armbrust reported that R. C. Stevens, a builder, called to let him know that Lonnie Hamlett is doing an excellent job.

Mr. Carter stated that the Board needed to enter into a Closed Session in accordance with §2.2-3711(A)(7) of the Code of Virginia for the purpose of consultation with legal counsel: 1) Damage to Equipment for E911 Center and 2) Litigation on Courthouse.

At 8:05 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to enter into closed session in accordance with §2.2-3711(A)(7) of the Code of Virginia for the purpose of consultation with legal counsel: 1) Damage to Equipment and 2) Litigation on Courthouse. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:42 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to return to regular session. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then read the following Certification Statement:

***WHEREAS,** this Board convened in a closed meeting under §2.2-3711(A)(7) – of the Code of Virginia, for the purpose of consultation with legal counsel.*

***AND WHEREAS,** no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.*

***NOW BE IT CERTIFIED,** that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:*

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter asked if there was anything to discuss as a result of the Closed Session.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve payment of the fourth and final payment to J. E. Jamerson & Sons on the Appomattox Emergency Call Center, in the amount of \$7,829.86. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

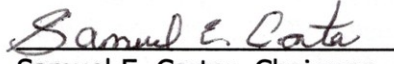
**UPCOMING MEETINGS
MARCH 2, 2006**

**COUNCIL CHAMBERS
APPOMATTOX TOWN OFFICE
6:00 P.M.**

**MARCH 6, 2006
COUNCIL CHAMBERS
APPOMATTOX TOWN OFFICE
6:30 P.M.**

**MARCH 20, 2006
APPOMATTOX COMMUNITY CENTER
6:30 P.M.**

At 8:45 p.m., Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn.
VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, February 21, 2006 at 7:00 p.m., the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox Town Council held a joint public hearing in Council Chamber of the Appomattox Town Office located on Linden Street, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien – Chairman
Shannon Dews
Barry Morris
Bryan Baines
Robert Johnson
Steve Conner
George Almond
Marvin Mitchell
Calvin Tanner

PRESENT: (Town Council)

Ronald Spiggle – Mayor
Marvin Mitchell
Jimmy Mayberry
Lewis McDearmon
Joyce Bennett
John Wilson

ABSENT: (Town Council)

Steve Lawson

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held in the old J & D Courtroom immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and/or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the public hearing over to Mr. Johnnie Roark, County Planner who read the first petition.

Town of Appomattox: To receive public comments concerning adoption by the Appomattox Town Council , the "Code of the Town of Appomattox, containing ordinances of a general and permanent nature as revised, compiled, consolidated and consisting of Chapters 1 through 195, together with an Appendix, hereafter termed the "Code". The purposed code includes alternations, deletions, additions, etc. to the zoning and subdivision of land ordinances and the levying and disposition of certain taxes. The amendments to the zoning and subdivision sections of the Code are primarily intended to modernize and simplify those sections and bring them into line with current law, rather than creating major substantive changes.

Mr. Roark asked if anyone wished to speak regarding this matter. Hearing none, Mr. Roark read the next petition:

Petition #05-560: Fred Jones – Applicant is requesting to rezone approximately 122.21 acres located on Country Estates Road (Route 642) between Red House Road (Route 727) and Church Street (Route 641) from Agricultural District, A-1 to Residential District, R-1, for the purpose of developing a single-family residential subdivision. Tax Map #'s: 76-A-19, 76-A-20, 76-A-28, portions of 76-A-14 and 76-A-18.

Mr. Roark asked if anyone wished to speak for this petition.

Mr. Tommy O'Brien, Route 3, Appomattox, VA. Mr. O'Brien stated that this parcel of land is approximately 122 acres of land just south of the Town of Appomattox at the intersection of Route 727 and Route 642 and behind Country Estates Subdivision is zoned A-1 and they are requesting to rezone to R-1 to keep the continuity of this area for the development of a residential sub-division. If the zoning is left as A-1, the proposed subdivision could be unsightly.

Mr. Roark asked if anyone wished to speak against this petition.

Mr. Roger Hunt, 135 Country Estates Road, Appomattox, VA. Mr. Hunt stated he had one question. They are talking about 100 houses on this property, where are they going to come up with the water? Will this hill support another 100 wells?

Ms. Jacqueline Hunt, 135 Country Estate Road, Appomattox, VA. Ms. Hunt explained her major concern is that from the plans she has seen some of the traffic will be coming out through the end of County Estates Road. Part of Country Estates Road has a blind curve and when the sun is shining in your eyes, you cannot see anything. She cannot see any development being done, until the curve is removed.

Mr. Jerry Staten, 115 Country Estates Road, Appomattox, VA. Mr. Staten is concerned about the drainage on this property. There is already a problem with drainage.

Ms. Roxanne Paulette, 125 Country Estates Road, Appomattox, VA. Ms. Paulette would like to know if there are any road plans or maps developed for this subdivision. Are cul-de-sacs in place and are there dead-end streets as there are now on Country Estates Road and what will the traffic pattern be.

Ms. Mabel Pistoria, 119 Country Estates Road, Appomattox, VA. Ms. Pistoria would like to know if the present property owners will be given the opportunity to buy adjoining land at a fair market price.

Mr. Roark asked if anyone else wished to speak regarding this petition, hearing none, he preceded to read the next petition.

Petition #05-561 – Steven T. Conner: Applicant is requesting to rezone approximately 2.23 acres located on Richmond Highway (Route 460) between Matthews Road (Route 1045) and Police Tower Road (Route 613) from Residential District, R-1 to Commercial District, B-1 for the purpose of developing an office building/retail store. Tax Map #'s 63-A-73 through 76, and a portion of 63-A-77.

Mr. Roark asked if anyone wished to speak for this petition.

Steve Conner, P. O. Box 1091, Appomattox, VA. Mr. Conner stated he owned the property in question with others. He traded property with an elderly lady who wanted to get off of Route 460 because there were a lot of businesses coming in and she felt she would be left there alone. This request is in continuity with business and is along the overlay where the County wants business growth. VDOT has looked at it and it is possible to get commercial entrances to all the parcels. Mr. Conner further stated for the record that he is on the Planning Commission but he will not be voting on this petition nor will he be included in the discussion.

Mr. Roark asked if anyone else wished to speak on this petition. Hearing none, he read the next petition.

Petition #05-562 – Fred Johnson: Applicant is requesting to rezone approximately 0.98 acres located on Richmond Highway (Route 460) between Confederate Boulevard (Route 460 Business) and Mountain Cut Road (Route 695) from Agriculture District, A-1, to Commercial District, B-1 for the purpose of developing a retail store. Tax Map #77-A-9.

Mr. Roark asked if anyone wished to speak for this petition.

Mr. Sonny Tolley, Route 1, Pamplin, VA – Mr. Tolley stated he was speaking on behalf of Mr. Johnson who is out of town. This property is compatible with other business property on that end of town. It is in keeping with having businesses on Route 460. It will provide employment for the County, as well as tax revenue. It would offer options for tourists, visitors and residents for shopping.

Mr. Roark asked if anyone else wished to speak on this petition. Hearing none, he read the next petition.

Petition #05-563: Fred Jones/Greg Wooten – Applicant is requesting a Conditional Use Permit for property located on Richmond Highway (Route 460) between Peaceful Meadow Road (Route 732) and Cedar Cove Lane (Route 646) for the purpose of developing an automobile sales and service business. Property is zoned Commercial District, B-1. If granted, this use will become a conditional use in that zoning district and thus amend the County Zoning Ordinance. Tax Map #62-5-C.

Mr. Roark asked if anyone wished to speak for this petition.

Mr. Greg Wooten, Route 1, Spout Spring, VA. - Mr. Wooten introduced Mr. Wayne Williams who would speak on this petition. Mr. Williams stated he was with R. Wayne Williams Limited, a drafting service in Lynchburg. He had some plans for the building, which he would be glad to show anyone who was interested. Mr. Wooten has been in business in the county for about 18 years and he has seen the need for growth several times. It is now time to grow again. The proposed building will be about 10,000 square

feet for automobile repairs and showroom and offices on the front of the building will be compatible with any new car businesses around.

Mr. Roark asked if anyone else wished to speak on this petition. Hearing none, he read the last petition.

Petition #05-564 – Fred Jones: Applicant is requesting to amend the Conditional Use Permit for property located on Richmond Highway (Route 460) between Peaceful Meadow Road (Route 732 and Cedar Cove Lane (Route 646) to delete the condition that sole access be from Richmond Highway (Route 460) (Application 89-019). Tax Map #62-5-C.

Mr. Roark asked if anyone wished to speak for this petition.

Mr. Wayne Williams, stated that this request is made due to the fact that traffic leaving the business, headed back east to Appomattox would have to cross two lanes of traffic within in a short distance to make the left turn at the crossover. If this traffic were allowed to use Route 646, it would be easier to see both directions and cross the highway at the crossover at the intersection of Route 646 and Route 460.

Mr. Roark asked if anyone wished to speak against this petition. Hearing none, Mr. Roark read the following letter in opposition to this petition.

February 17, 2006

Dear Mr. Roark:

Due to a previous engagement I am unable to attend the public hearing scheduled for February 21, 2006. However, I would like my letter read and recorded in the minutes.

I have lived on State Route 646 for 20 years and have several concerns pertaining to the proposed Conditional Use Permit 89-019, to delete access from Route 460 and have new access from Route 646.

My first concern, is that at the purposed location of the entrance, the road is curved and narrow. At the present time while meeting another car you either have to stop or go off onto the shoulder of the road to pass.

Secondly, this being a dead-end road with only one outlet does not need a business entrance at the end of it where we have to try to enter into Route 460. This will just cause congestion coming in and out at the intersection.

Thirdly, we already have two apartment buildings and several rental properties, a new subdivision under development, and a Church, which has all brought a lot of additional traffic to this road.

The current car lot which uses Route 646 as an access has caused a lot of problems when trying to get onto or off of Route 460 due to people stopping to look and not getting off the road and blocking your view to enter into Route 460.

I am not happy about the new proposed car lot and garage being built at all, but if it does happen the entrance needs to be off Route 460.

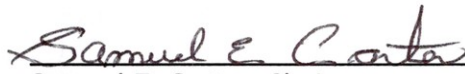
Concerned Taxpayer,

Delores Jones
P. O. Box 953
Appomattox, VA 24522
434-352-5949

Mr. Roark asked if anyone else wished to speak for or against this petition. Hearing no further comments, Mr. Roark turned the meeting back to Mr. Carter.

Mr. Carter stated the Board of Supervisors would like to welcome George "Spud" Almond to the Planning Commission and appreciate him taking the time out from his many activities to contribute to the civic community.

At 7:23 p.m. Mr. Carter declared the Public Hearing Closed.


Samuel E. Carter, Chairman

On Thursday, March 2, 2006 the Appomattox County Board of Supervisors held a work session at 6:00 p.m. in the old Juvenile & Domestic Relations Courtroom located on the upper level of the Appomattox County Administration Building on Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John K. Spencer, Jr., Assistant County Administrator
David Liebal, HDH Engineering
Gary Christie – Region 2000 – Local Government Council
Scott Smith – Region 2000 – Local Government Council

At 6:04 p.m. Mr. Carter called the meeting to order.

Ms. Ferguson stated the purpose of this work session was to discuss possible uses for the old elementary school and presented an overview of what has been discussed up to this point.

The members of the Management Team consist of a representative from the Carver-Price Museum, Central Virginia Community College, Workforce Investment, Virginia Employment Commission, Historical Park Service, School Board and Town of Appomattox. This team has decided what they feel should be done at the old elementary school.

Mr. Spencer presented an overview of the school, along with floor plan layouts. He also explained the floor plan, the room plans and organizations that will be utilizing space in the building.

Ms. Ferguson asked if anyone had any questions.

Mr. Carter questioned the School Board offices, will this be enough space for them?

Ms. Ferguson feels this is more than needed at the present. This will provide enough space to move all the School Board offices and still have some extra rooms. The School Board does not want to hinder this project, but would love to have this additional space. This would aide in future growth. Social Services could use the Courtland Building for another 20 years. This makes good sense and gives us the opportunity to grow. Ms. Ferguson discussed the meeting room potential and cost estimates (nothing fancy). The roof is the main project. There is also some cosmetic work needed. There is no public address system at the present time.

Ms. Ferguson, speaking as a citizen, said this meets the needs of all - career development as well as Central Virginia Community College, which will aid all of our citizens.

Mr. Carter and Mr. Armbrust both suggested selling the Alternative Education building to aid in purchasing mobile units for the schools. This is just a thought, if we have need in the future for mobile units.

Ms. Ferguson stated that moving the school program, Alternative Education and Head Start will not really aid in the lack of space. Maybe we need to hear from Dr. Krug.

Mr. Armbrust wanted to know if the School Board would still use the maintenance building and if they would continue to cut the grass on the new projects.

Ms. Ferguson answered, yes they will.

Mr. Carter asked for a clarification on Distance Learning and Satellite Learning.

Ms. Ferguson asked Mr. Spencer to explain the multi-purpose rooms.

Mr. Spencer explained the uses for the multipurpose and storage rooms.

Ms. Ferguson discussed the cost estimates with the Board members. CDBG will help. Hope to get the \$700,000.00. We definitely need a new roof. We have HUD Grant in the amount of \$148,000.00 which we would like to use for windows and the roof.

Mr. Spencer discussed the paper work that was sent to HUD. The windows and roof on the CVCC part of the building were included with only patching on the other parts. If we decided to do the roofing all at one time, then the HUD money would go to the roofing.

Ms. Ferguson asked David Liebal to offer some input on the estimates we have obtained.

Mr. Leibal stated we have the best value for the money. CVCC is very excited. Do the four (4) rooms first. He would like to patch the roof and get going there. We cannot go with the original windows because of cost. Trying to save budget money. If we do a lot of roofing, we will get the best buy for the buck. If we have the money, do what is best.

Ms. Ferguson feels we will get very little of the \$3 million. Would like the Board to consider borrowing this money. CVCC is a paying customer. We need the actual cost on making the building functional. CVCC is the only paying tenant.

Mr. Spencer said that CVCC is suppose to draw-up some papers. They gave us the number of payments per square footage in lease.

Mr. Carter asked if we could expect about \$50,000.00 a year from CVCC.

Mr. Spencer replied that depends on the square footage. Bedford has a ten (10) year lease at \$10,000 a month for approximately 10,000 to 12,000 square feet of space.

Mr. Spencer further stated that the balance of the Tobacco funds is about \$17,000.00.

Mr. Carter asked if we could possibly secure more grants. Mr. Spencer replied yes, but only for workforce area.

There was a lot of discussion regarding financial obligations; new jail (2009-2010), E-911 and Homeland Security mandates. We must continue to look at revenue options. Everyone is in agreement that we need to see more figures before making any decisions.

Gary Christie and Scott Smith with Region 2000-Local Government Council expressed some concern that the grant may not go through. There are lots of applicants for ten (10) grants. There are potential monies for other parts of the building, possibly from Transportation Enhancement Grants.

At 7:00 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes)


 Samuel E. Carter, Chairman

On Monday, March 6, 2006, the Appomattox County Board of Supervisors held a Public Hearing at 6:00 p.m., to receive comments on CDBG Grant Application, in Council Chambers of the Appomattox Town Office, located on Linden Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
 John G. Overstreet – County Attorney
 John K. Spencer, Jr. – Assistant County Administrator
 Johnnie Roark – County Planner

Mr. Carter opened the Public Hearing and welcomed everyone in attendance.

Mr. Carter stated this public hearing was regarding the CDBG Grant for Appomattox County. If you did not sign up to speak at this hearing, and wish to do so, please sign up at this time.

Mr. Reed Johnson: Mr. Johnson is in full support of this grant application. He is part of the Management Team for the adaptive uses for the Carver Price School building. The National Park Service is in full support of this grant application. Essentially what the National Park Service is envisioning here is part of our forth-coming general management plan which they hope to have ready by Spring. One of the proposed alternatives for the next 25 years is to see some measure of protection for the Appomattox Station Battleground, which is directly behind the school building. The school grounds may actually be part of this battleground. What they have been working on is that the school be used as a visitor's center in partnership with the National Park Service, the Town of Appomattox and the County. This operation would probably be carried out by the Town, County and Chamber of Commerce, but carry the National Park Service emblem. This would be the first stop for visitors coming to town and since the Battle of Appomattox Station took place on April 8th it proceeds the surrender at the Historical Park on April 9th.

The school building itself, has facilities that the Park Service does not currently have particularly a larger venue for educational purposes, especially for really large bus groups. At present, they can only accommodate about 70 people at a time in their present auditorium and they have to stagger their visitors and this elongates the school groups visits because they have to take turns viewing the orientation film. This will provide a better place for the orientation viewing before visiting the Park itself. This is also an advantage to the County and the Town as it places the visitors in town prior to coming out to the park. This will be a win-win situation for everyone.

Mr. Carter stated he failed to introduce John Spencer, Assistant County Administrator, prior to opening the floor for comments.

Mr. Spencer stated that a month ago, we held the first public hearing on the Community Development Block Grant program. This is the second public hearing which is required by the Community Development Block Grant program. Last month we introduced you to Mr. Scott Smith who is with the Region 2000 – Local Government Council. Mr. Smith is present this evening to talk about the project of the Carver-Price Educational Workforce Development Center Project and he is also going to talk a little bit about the grant submission and where we are at this point.

Mr. Spencer then turned the meeting over to Mr. Smith.

Mr. Smith began by thanking the Board for having him in attendance tonight. First, he would like to talk about what the CDBG Community Development Block Grant process is and why we have to hold two (2) public hearings. The requirement from the Virginia Department of Housing and Community Development is that we are to do one public hearing where we introduce the concept of this grant program to the community, that we might apply for a grant and that the money could come to this community and what it should be spent on. The second public hearing deals with what the Management Team has decided to apply for. At the last public hearing we had presentations from people in favor of a Workforce Development Center as well as an animal shelter. Both are very worthy projects. In this case the Community Development Block Grant will fund things like the Workforce Development Center, but not an animal shelter unfortunately. The Management Team has directed us to go ahead with putting together an application for the Appomattox Workforce Development Center, which is supposed to be housed in the former Carver-Price Elementary School. Mr. Smith distributed a handout that the members of the public received tonight, if anyone wanted to follow along. The Management Team has already been referred to by Mr. Johnson, from the National Park Service. Mr. Smith did have a correction to make on the handout – the Appomattox Courthouse National Historic Park. The Management Team over the past year has consisted of representatives from the County, the Town, Parks and Recreation, Public Schools, Chamber of Commerce, Carver-Price Alumni Association, Central Virginia Community College, HDH Associates, National Park Service, Region 2000-Local Government Council, also the Region 2000 Workforce Investment Board, the Virginia Employment Commission and the Virginia Department of Housing and Community Development. This group was basically formed with the task of looking at the Carver-Price School and determining what, if any, best uses could be put into that school. Among the options, a Workforce Development Center came out. Mr. Smith presented some pictures showing the layout of the school, standing on Confederate

Boulevard, looking at the west wing, called the Third Grade Wing; the old part, the Carver portion; and the Price Annex, built in the 1950's. The Management Team has determined that there are a lot of likely uses for parts of this building. What we are here tonight to talk about is one of the two uses that we feel are the strongest and the most ready to move forward. One of them being, the Carver-Price Museum, which he thinks the Board has dealt with. The other is what we are looking at, and that is putting in the Third Grade Wing or the west wing of the building. On the back of your hand-out you will see a blown up version of that Third Grade Wing. In that, you will see up to eight (8) classrooms for Central Virginia Community College. In the middle, is some shared space for several organizations, including the Virginia Employment Commission, the Region 2000 Career Center and the Region 2000 Small Business Development Center. Those areas are going to be areas where people from those organizations can come into town and meet with clients: someone who wants to start up a small business; maybe someone needs some financial help for their small business; looking for a job but don't know how to get the skills that they need; they can come in and meet one on one with the organizations. There is also a multi-use and conference space and also space for the Adult GED Program which Appomattox County School operates.

The Management Team, working with the architects, HDH Associates, had determined that this layout is probably the best use of this space. Our next step is tonight where we present this plan in the public hearing format and we will be putting the application together over the next two weeks or so, for a due date of March 23, 2006. At the March 20th, Board of Supervisors Meeting, we will be coming back to you with a Resolution that they will ask to be passed in support of this project. Mr. Smith had some cost information- the projected total cost of this section, about 15,000 square feet of building is \$1,074,741.00. Out of this, we are allowed to apply for up to \$700,000.00 in Community Development Block Grant money. The rest of the funding may come from a variety of sources including a little bit from the Virginia Tobacco Settlement Commission, a special congressional appropriation by Congressman Goode, and perhaps the County of Appomattox and other sources. We are charged right now with is to see if we can obtain the \$700,000.00. There is not match required from the County for this particular grant like some other grants. However, a match certainly helps.

Central Virginia Community College is also read to move ahead with construction and developing their program. If things move ahead on schedule they would like to be having classes here in January 2007 – Spring Semester. Mr. Smith stated that he would be remiss in his duties if he did not say that this is a hard grant to get. There is only about \$9 million available this year for communities the size of Appomattox around the State. Fortunately, the bigger cities like Lynchburg, Richmond, Norfolk and places like that get their own pot of money, so we are not in competition with places like Bedford, Farmville and places of this size. We will make the best effort with this application that we can.

Mr. Carter thanked Mr. Smith for his presentation.

Mr. Milton Chambers – President of the Appomattox Assembly, Inc.: Mr. Chambers stated that the Appomattox Assembly, Inc. operates out of the Carver-Price

Cultural Center on Patricia Anne Lane. He is representing their organization to say that they want to give their full support to the application for the CDBG Grant. He is thankful to this program, as he received his own education at CVCC back in 1972. He thinks this will be a wonderful opportunity that will allow people with moderate to low incomes to just walk to school and continue their education. This will be a great thing for Appomattox County.

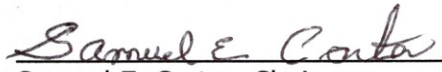
Mr. Zack Rosser – President of Carver-Price Alumni Association: The Carver-Price Alumni Association supports the CDBG grant application for renovation of the Carver-Price Educational Complex. They also support the CVCC satellite campus. They feel that this will benefit the citizens of Appomattox County as well as the surrounding counties. They also feel that this will greatly enhance tourism and bring revenue to the County. They are asking the Board of Supervisors support this project.

Dr. Walter Krug – Superintendent of Schools: Mr. Krug is representing the Appomattox County Public Schools in full support of this CDBG grant application. Last month, Ms. Martha Eagle, Director of Career and Technology Education provided information about the Appomattox ranking as one of the highest unemployment rates in the region, as a significant number of citizens have neither a high school diploma nor a GED diploma. These statistics, coupled with the generally accepted fact that those entering the workforce today will embark on a minimum of 5 or 6 career paths in their working lifetime. That punctuates the need for a workforce training and re-training center in our community. We feel that the Workforce Development Training Center at the Carver-Price Educational Complex is a great benefit to both our students in our schools as well as the workforce in this community. It will serve as an adjunct to high school programs, and for County residents it will also offer expanded opportunities for refining their skills and learning new ones. Employers will also benefit from local training facilities. We believe that this workforce center with a single one-stop provision of a satellite campus for Central Virginia Community College, offices for the Virginia Employment Commission, the Business Development Center and Region 2000 Career Center will all be a catalyst for economic development in our County. They urge the Board's support of this application.

Mr. Carter asked if anyone else wished to speak on this subject.

Mr. Carter thanked everyone that did come forward and express their views on the CDBG application process.

At 6:20 p.m. Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

On Monday, March 6, 2006, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at 6:30 p.m. in Council Chambers of the Appomattox Town Office located on Linden Street, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
 John G. Overstreet, County Attorney
 Johnnie Roark, County Planner
 John K. Spencer, Jr., Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation, after which everyone was invited to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

There were no items to be added at this time.

Mr. Carter then stated the Board would receive **Citizen Public Comments:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Ms. Vickie Reagan – Ms. Reagan is concerned that the citizens of Appomattox County do not have adequate access to the Emergency Medical system. She has been a resident of the county since 1989 and also a property owner. Within the last couple of months there was an issue involving one of her neighbors who was down in the floor at 3:00 in the morning with a broken shoulder and no one would respond from the emergency medical system. No one responded from Concord and the ambulance service does not open until 8:00 a.m. so there was no help for her. Fortunately, this lady had family in the area but Ms. Reagan does not. There are many people who do not have family or relatives in the immediate area who can help them when they need assistance getting to the hospital. Ms. Reagan stated her purpose for appearing at the meeting tonight was to encourage the Board to be speedy and make a decision to find the money or whatever it takes to get the emergency medical services available to each citizen in this county, immediately when they need it. We have one of the best hospitals in the country about ten miles down the road, but if you can't get there, what good does it do. She would appreciate your making a decision, the right decision, and in some way of coming up with the money to fund an emergency medical system. She has a security system in her home which gives her a peace of mind but she has no peace of mind about the emergency medical system in the County. She would be willing to pay extra for this peace of mind.

Mr. Carter asked if anyone else wished to address the Board. Hearing none, Mr. Carter moved to the next item on the agenda.

ADMINISTRATIVE ITEMS: (Items 1 – 6)

1. **AWAG:** Ms. Diane Miller, Treasurer for Animal Welfare Action Group of Appomattox, is requesting permission to use Courtland Field on Saturday, June 10, 2006, for a community event focused on companion animals. They have provided a certificate of insurance with their request.

After some discussion, Mr. Craft made a motion, seconded by Mr. Moore to approve the Animal Welfare Action Group's request to use Courtland Field on Saturday, June 10, 2006. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Appomattox County Planning Commission Recommendations:** The Appomattox County Planning Commission has submitted their recommendations on petitions heard on February 21, 2006.

Petition #05-559 – Travis Ford: The applicant is requesting a Conditional Use Permit to allow a vehicle graveyard on Route 460 between Route 609 and Route 667. The subject property is 5.05 acres in size and is zoned Industrial District M-1, Tax Map #60(4) B. The applicant's business, Ragnarock, Inc., was the beneficiary of a Conditional Use Permit granted to Hackett Enterprises on August 1, 2005 which allowed the operation of a concrete contractor's facility on this same parcel. Approval of this current request would result in vehicle graveyard becoming a Conditional Use in the Industrial District M-1 and would thus amend the County Zoning Ordinance (Section 170-25).

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to deny the above mentioned Petition #05-559 of Travis Ford because it is not in the best interest of the general public and is not consistent with the intent of Chapter 170-51 of the Zoning Ordinance nor the Community Development Planned goals and objectives to enhance the appearance of the county throughout the Richmond Highway (Route 460) corridor. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #05-560 - Fred Jones: Applicant is requesting to rezone approximately 122.21 acres located on Country Estates Road (Route 642) between Red House Road (Route 727) and Church Street (Route 641) from Agricultural District, A-1 to Residential District, R-1, for the purpose of developing a single-family residential subdivision. Tax Map #'s: 76-A-19, 76-A-20, 76-A-28, portions of 76-A-14 and 76-A-18.

Mr. Moore made a motion, seconded by Mr. Craft, to approve the above mentioned Petition #05-560 of Fred Jones as submitted for reason of public necessity, convenience, general welfare, and good zoning practice. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #95-561 – Steven T. Conner: Applicant is requesting to rezone approximately 2.23 acres located on Richmond Highway (Route 460) between Matthews Road (Route 1045) and Police Tower Road (Route 613) from Residential District, R-1 to Commercial District, B-1 for the purpose of developing an office building/retail store. Tax Map #'s 63-A-73 through 76, and a portion of 63-A-77.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the above petition #05-561 for Steven T. Conner as submitted for reason of public necessity, convenience, general welfare, and good zoning practice. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #05-562 – Fred Johnson: Applicant is requesting to rezone approximately 0.98 acres located on Richmond Highway (Route 460) between Confederate Boulevard (Route 460 Business) and Mountain Cut Road (Route 695) from Agriculture District, A-1, to Commercial District, B-1 for the purpose of developing a retail store. Tax Map #77-A-9.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the above petition #05-562 of Fred Johnson as submitted for reason of public necessity, convenience, general welfare and good zoning practice. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #05-563 - Fred Jones/Greg Wooten: Applicant is requesting a Conditional Use Permit for property located on Richmond Highway (Route 460) between Peaceful Meadow Road (Route 732) and Cedar Cove Lane (Route 646) for the purpose of developing an automobile sales and service business. Property is zoned Commercial District, B-1. If granted, this use will become a conditional use in that zoning district and thus amend the County Zoning Ordinance. Tax Map #62-5-C.

After some discussion regarding the number of trees to be planted as a buffer zone, Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the above mentioned petition #05-563 for reason of public necessity, convenience, general welfare and good zoning practice with one (1) condition. From a point adjacent to the proposed entrance on Route 646 (Cedar Cove Lane) and running north to northeast along the rear property line for its entirety, a 25 foot buffer shall be installed. Contained in the buffer area will be large evergreen trees planted 20 feet on center. Plantings shall be a minimum of five (5) feet tall at the time of planting. Required plantings shall remain alive and in good condition in perpetuity. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Petition #05-564 – Fred Jones: Applicant is requesting to amend the Conditional Zoning Permit #89-019 for property located on Richmond Highway (Route 460) between Peaceful Meadow Road (Route 732) and Cedar Cove Lane (Route 646) to delete the condition that sole access shall be from Richmond Highway (Route 460). Tax Map #62-5-C. This property is approximately 7.56

acres and is zoned Commercial District, B-1. This petition is in conjunction with petition #05-563.

Mr. Moore made a motion, seconded by Mr. Craft, to approve petition #05-564 as submitted for reason of public necessity, convenience, general welfare, and good zoning practice. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. Resolution Virginia Juvenile Community Crime Control Act:** Some years ago the Board adopted a resolution joining with other localities in the Virginia Juvenile Community Crime Control Act. When the original resolution was adopted, we used Robert C. Bradner, Director of the 10th District Juvenile and Domestic Relations Court Service Unit as the person to execute the plan. Mr. Bradner has since retired and therefore the resolution needs to be amended. To avoid this from happening again, Ms. Ferguson suggested we use the position title rather than an individuals' name.

Mr. Craft feels this is a good idea as people are always being transferred or in some cases retiring and this would eliminate the need to amend this resolution each time there is a change.

Mr. Craft then made a motion, seconded by Mr. Armbrust, to adopt the following resolution:

*RESOLUTION
VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT*

BE IT RESOLVED that the Appomattox County Board of Supervisors will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in the Act; and

BE IT FURTHER RESOLVED that Appomattox County intends to combine with the other governing bodies listed below and that Charlotte County will act as fiscal agent for these localities. Other localities with whom Appomattox County will combine include:

*Buckingham
Charlotte
Cumberland
Lunenburg
Prince Edward*

BE IT FUTHER RESOLVED that the Director of the 10th District Juvenile and Domestic Relations District Court Service Unit, is hereby authorized to execute the plan on behalf of the County of Appomattox.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Explanation of Additional Expenses for Draper Aden:** Draper Aden has submitted additional information concerning the cost overruns on the water line project as per Ms. Ferguson's request following the February 21, 2006 meeting.

Mr. Armbrust stated he understood their explanation, but we have to put our foot down somewhere. They contracted for this job and they should get it done. He is not in favor of paying this additional \$2,500.00.

Mr. Conrad stated that based on their explanation, they indicated that this particular project certainly was more complex than originally thought and as a result what they have ended up doing is basically putting in quite a bit more man-hours to determine this. One thing we need to think about is it is important to note that basically this project is something of real importance for our future needs and the development of the Route 460 corridor.

Ms. Ferguson stated that Appomattox Town Council has not met since this information was received. Campbell County Public Utilities understands and is willing to pay their half of this increase.

Mr. Carter had two (2) questions. 1) They are talking about the water demand assumptions. With this, can the assumptions now be met? 2) They also talk about the water volume, will that also be met?

Ms. Ferguson believes the answer to both of these questions is yes. They know what has to be done in order to meet the volume.

Mr. Armbrust says he agrees with Mr. Conrad and the other Board members, but these people contracted and it doesn't matter what they run into, they have a job to do and they are a firm we have to work with down the road, but this is a incidence where they messed up on the estimate so what are they doing to do down the road. Again there are other firms that will gladly pick up this project.

Ms. Ferguson explained that the Campbell County Public Services Authority is paying half of the cost of this study up front. The Town and County of Appomattox were to pay the other half. They have to look at the size of the lines, where do they put storage tanks, is it necessary to put booster pumps, if so where to put them. It is a lot more involved than just saying you have to have a 12" line here or a 16" line there. The water cannot just set in the lines, so you may have to do some smaller lines and do a storage tank to get the capacity that you want for fire protection or whatever. It is extremely involved. She has learned more about moving water through a pipe, than she ever wanted to know.

Mr. Carter expressed that he thought these problems would be covered in the scope of the contract. You are going to have problems and the contract should reflect these. He does not feel, we as a County can turn around and go in the opposite direction. He does not want to pay this additional fee, but he does not feel we can be good stewards if we don't continue forward with this and sadly to say, do our portion along with Campbell County.

Mr. Overstreet was asked if he saw any legal ramifications. He stated that he agreed with Ms. Ferguson that we did not contract in the first place. Someone came and asked us for money to help with this project. The point we need to consider is whether the firm has acted reasonably under the circumstances. If this was something they had to do anyway and just misjudged it at the beginning, I think this is something to consider rather than if they went off in the wrong direction and had to re-group.

Ms. Ferguson stated they did not go in the wrong direction, the scope of the project was just much larger than they had anticipated. They do all of Campbell County's work and they had the concept that they knew everything from Rustburg to Concord and all they had to do was add that last little leg but when they got into it, they recognized that it was a lot more involved. We either agree to pay this \$2,500.00 or not.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the expenditure of the additional \$2,500.00 to Draper Aden. ROLL CALL VOTE: Mr. Armbrust, nay, Mr. Conrad, nay, Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (3 aye and 2 nay votes)

5. **Rural Transportation Planning Grant:** Johnnie Roark has presented an explanation concerning some planning funds that are available through VDOT to complete a Route 460 Corridor Study. This is something that is very important to the County as we continue to grow. Approximate cost to the County is \$8,000.00.

Mr. Roark stated the \$8,000.00 would not have to be expended at this time. We are basically guaranteeing that this money will be available if the grant is awarded. These funds will be due and payable when the actual work is done in July, 2006 thru March or April, 2007.

Mr. Craft made a motion, seconded by Mr. Conrad, to put \$8,000.00 in the FY07 budget to cover the cost of participating in a Route 460 Corridor Study. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Hiking/Biking Trail:** Some citizens are concerned that the Board at its last meeting on February 21st is not in support of the plans to build a hiking/biking trail connecting the Town to the National Park. The Board needs to clarify their position on this issue.

Mr. Craft stated he is not against the hiking/biking trail, however, he is against the reducing of the speed limit to 45 mph on Route 24. He feels that if other counties can have a hiking/biking trail along with a 55 mph speed limit, why do we need to reduce the speed limit at the National Historical Park.

Mr. Conrad stated that he had received some calls questioning why the Board would deny this hiking/biking trail. Again, he would like to state he is not against the hiking/biking trail, just the reduction in the speed limit on Route 24. This will not become a reality for approximately another five to ten years and funds have not been

allocated nor are there any plans right at the moment for this to be funded. When that time comes, there will be no problem with re-visiting this issue and determining if you want to reduce the speed or not. He feels the decision was made, based on the fact that you needed to reduce the speed limit at this time, especially with no bike trail being constructed at this time.

Mr. Armbrust stated he agreed with Mr. Conrad in that the funds for this hiking/biking trail were not available at this time and he was not in agreement to reducing the speed limit until such time as the funds and plans were made available. He is not against the biking trail.

Mr. Moore is not in favor of changing the speed limit but is in favor of the hiking/biking trail. Other localities have bike trails along the roadway without lowering the speed limit. If it works elsewhere, why not here.

Mr. Carter stated that this is a stepping stone to the battlegrounds behind Carver-Price. This is phase one of many phases that we have to go through in order to achieve the goal we have in mind of the battleground and the forthcoming tourism projection that hopefully will come from that. As for the speed limit itself, most places he has been through, National Parks, etc. the speed limit has been reduced within that specified area. It is very clear from this Board's perspective that it is indeed in favor of this biking trail and will revisit this matter when this becomes more of a reality. He felt that when the hiking/biking trail was constructed, the speed limit would need to be reduced. He continues to support the hiking/biking trail.

Mr. Craft stated that lower speed limits are within park areas on park land. This trail would be on State property and does not meet the criteria for a lower speed limit.

Mr. Carter then presented the **CONSENT AGENDA:** (Items 7 -11)

7. **Approval of Minutes:** Please approve minutes of Public Hearing on February 6, 2006 and Board of Supervisors Meeting on February 6, 2006.
8. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

9. **Registrar:** Please appropriate by consent and supplement \$106.70 to the Registrar's budget for a refund received on a conference that was cancelled after she had paid her registration.
10. **Comprehensive Services Act:** Please appropriate by consent and supplement \$128,759.00 to the CSA budget to pay bills for the month of February 2006. Most of these funds will be reimbursed to the locality by the Federal and State Government.
11. **Old Elementary School:** Please appropriate by consent and supplement \$2,250.00 to the CDBG grant line in the budget for payment that needs to be made to the architect. These monies will be reimbursed to the County from the CDBG grant.

Also, please appropriate by consent and supplement \$8,775.00 to the CVCC Project line in the budget to pay for field work that has been done on the CVCC project.

Mr. Moore made a motion, seconded by Mr. Craft to approve the Consent Agenda as presented: ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

12. Managing Growth in Virginia: As you will remember, Mr. Spencer attended the Cattleman's Association Dinner on February 21st. Their program for the evening was Managing Growth in Virginia. A copy of the program and other information that was presented at the meeting is enclosed.

13. Robert E. Lee Soil & Water Conservation District: Minutes of the Board of Directors Meeting held on January 26, 2006.

14. Letters supporting the School Board's proposed budget: E-mails received requesting that you support the School Board budget as presented in March 2006.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Conrad received a letter from the Elementary School a few weeks ago. They have a program on Fridays from 10:30 a.m. to 11:00 a.m. dealing with students that are under developed and how they are integrating other students in helping these kids to better understand projects, etc. They have asked if anyone else on the Board would like to come over to observe, they would be more than happy to have you come.

Mr. Armbrust commented that Ms. Reagan who spoke earlier in the evening had called him along with a few others from that area and he feels the Board needs to revisit the issue of the Rescue Squad.

Mr. Carter stated the need to enter into a Closed Session as per §2.2-3711-A-7 of the Code of Virginia, Consultation with legal counsel.

At 7:19 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to enter into a closed session as per §2.2-3711 A. 7 of the Code of Virginia for the purpose of legal consultation. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 7:34 p.m on a motion by Mr. Moore, seconded by Mr. Craft, the Board returned to regular session and Mr. Carter read the following Certification Statement:

***WHEREAS**, this Board convened in a closed meeting under §2.2-3711 A.7 – of the Code of Virginia, for the purpose of legal consultation.*

AND WHEREAS, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

NOW BE IT CERTIFIED, that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter asked if there was any business to discuss as a result of the closed session.

Mr. Craft made a motion, seconded by Mr. Armbrust, to appropriate \$6,210.84 to Percision Power. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion, seconded by Mr. Conrad, to release the balance of the E-911 Contract. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

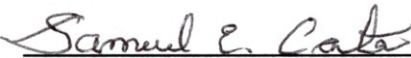
UPCOMING MEETINGS

**MONDAY, MARCH 13, 2006 @ 6:30 P.M.
JOINT MEETING WITH SCHOOL BOARD
SCHOOL BOARD CONFERENCE ROOM**

**MONDAY, MARCH 20, 2006 @ 6:00 P.M.
PUBLIC HEARING ON COURTHOUSE LEASE
COMMUNITY CENTER**

**MONDAY, MARCH 20, 2006 @6:30 P.M.
REGULAR MEETING
COMMUNITY CENTER**

At 7:37 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Monday, March 13, 2006 the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at 7:00 p.m. at the School Board Administration Building located on Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

PRESENT: (School Board)

Amy Martin – Piney Mountain District
Todd Puckett – Appomattox River District
Bobby Waddell – Falling River District
Cliff Rhodenizer – Wreck Island District

ABSENT: (School Board)

Raymond W. Mitchell – Courthouse District

ALSO PRESENT:

John K. Spencer, Jr. – Assistant County Administrator
Walter Krug – Superintendent, Appomattox County Schools
William Perrow
Janice Marston

At 7:00 p.m. Mr. Carter called the Board of Supervisors meeting to order and welcomed everyone in attendance. Mr. Carter further stated that he looked forward to a very productive meeting.

At 7:01 p.m. Mr. Waddell called the School Board meeting to order and stated he certainly appreciated the Board of Supervisors cooperation in the past, present and looked forward to the future and hoped that the discussion tonight will be helpful to everyone.

Dr. Krug stated that before the meeting gets started that he hoped everyone had received a flyer from him regarding the Meeting on Youth to be held on March 30th. He would encourage everyone to attend if at all possible. The speaker will be from the Office of the Attorney General.

Dr. Krug thanked the Board for their cooperation and the allocation of unspent funds that occurred last year. As you will recall, in June, they received some late funding that they were unable to spend by the end of the fiscal year and the Board graciously agreed to allocate these funds to the budget for this year in support of our schools.

Dr. Krug stated that under the Code of Virginia, the Superintendent is required to present to the School Board a budget that is deemed to be what is needed during the next fiscal year for the operation of the schools. Needed can be interpreted a lot of ways. What is a school need? We have program needs – we would like to maintain our accreditation with the State and our AYP (No Child Left Behind). We would like to expand what we have to offer our students. We have in the last couple of years, had to eliminate some things that are not in the budget, that we would like to have back, for example: foreign languages in high school, as we only have the required two foreign languages in the high school and one at the middle school. Several years ago, we offered three foreign languages in each school and had to cut a computer science teacher position. We need to be conscience of what we have to offer our students so they can be competitive when they leave here. We also need to make our salaries and benefits competitive. Under facilities, we have a need for several additions and renovations, which are capital projects that we do not have included. We do have included additional money for maintenance projects that we have not had in last year's budget. We need to be conscious of the growth of the County – while some of the new homes constructed to not have children, they may have children in the years to come and we need to prepare for that increase. From his point of view, the two areas that have not seen a major growth in but would like to in terms of the budget is Staff Salaries and Facilities. They also recognize that the County has limited funding resources. Special Education and No Child Left Behind are vastly under-funded by the Federal Government, especially Special Education. When that law was enacted 30 years ago, the Federal Government agreed to finance about 40% of the cost of Special Education. It has never been above 20%. This proposed budget recognizes the realities of funding.

Dr. Krug briefly spoke on some of the other goals and proposed needs of the School system listed on the handout that was provided at the beginning of the meeting. He also explained that they based their proposed budget on what Governor Warner has proposed the State to provide.

Dr. Krug spoke briefly on the major increases over the FY06 budget.

• Salaries	\$744,000
• Employee Health Insurance	100,000
• VRS & Group Life	315,000
• Fuel (heating & vehicle)	75,000
• School buses & trucks	138,000
• Building Improvements	<u>175,000</u>
Total	\$ 1,547,000

Mr. Waddell discussed the need for improvements to the Technology infrastructure for the school system as well as the need to re-instate a Computer Technology Systems teacher position.

Mr. Perrow briefly discussed the \$175,000 placed in the budget for maintenance. Because so much emphasis has been placed on No Child Left Behind and the SOL's some maintenance and repairs have not been done in the past several years.

Division Wide Needs:

- Long Term maintenance projects
- Ongoing preventive maintenance
- Protection of multi-million dollar investment
- Fields and play area at all schools
- Meet ADA requirements
- Compliance with fire Code – NFPA 72 – Insurance company's request
- Year 2000 Facility Needs (separate handout)

Mr. Perrow stated that some maintenance projects were done during the summer. This makes it harder to deal with financially as it involves budget year crossover. A separate CIP account for the school system would help.

Dr. Krug continued with comments on the other school needs.

The Primary Schools needs:

- Driveway and Parking – VDOT
- Water main and interior distribution system – original section of building
- Roof over kitchen and freezer area
- Roof on original building
- Parking lot lighting
- New construction or moving of one grade level – remove mobiles; renovations and upgrades

Elementary School needs:

- Covering over loading dock area
- Routine and preventive maintenance projects

Middle School needs:

- Replace boilers with more efficient ones
- Water infiltration above & below grade
- Increase staff parking
- Lights for Ag Building parking lot
- Covered walkways
- Security cameras
- Additional classroom space

High School needs:

- Replace visitor's bleachers at Bragg Stadium (insurance company concern)
- Upgrade electrical service
- Resurface parking lot
- Parking lot lights
- Additional exterior lighting for athletic and other events
- Add classrooms; renovations (1974)

Total 2006 – 2007 Proposed School Budget: \$20,238,755.

Projected Revenues: - Governor's budget	\$ 13,507,926
- Federal	1,165,419
- County	5,495,610
- Other	<u>69,800</u>
Total	\$ 20,238,755

Budget figures will probably change, as the State Budget has not been adopted and final funding figures are not available at this time.

Dr. Krug asked if anyone had any questions.

Mr. Craft asked if closer ties with CVCC will result in more transportation and tuition costs.

Dr. Krug said he was talking with CVCC to find options.

Mr. Conrad asked Dr. Krug to explain what is covered under "Alternative Education".

Dr. Krug stated that for the school budget when they talk about Alternative Education, they are primarily looking at the Janus School which is housed in the Stanley house. This is not their only option program. They generally have eight to ten students enrolled in this program at any given time. They have other options. They are part of a regional group that operates the Pride Center in Lynchburg, and we currently have four students which we transport to this program. We also have in the past put students on home bound instructions where a tutor is sent out to work with them. We also have other placements for Special Education student with extreme problems. We can have Special Education students at Janus but we do not have them at the Pride Center. They also have other programs, one of which, is the Governor's School.

Mr. Conrad asked how much is spent in Alternative Education each year?

Dr. Krug said that cost depends on the individual situation. They have a teacher at the Janus School. There is no cost for the Pride Center, however, they do have transportation costs.

Mr. Conrad asked "where we start" in addressing this?

Dr. Krug said that the Federal Government mandates it, but doesn't fund but about one-half of what they are supposed to. They are supposed to fund 40%, but only fund about 20%. Our first contact would be Congressman Virgil Goode.

Mr. Moore asked about the ages of students sent to Alternative Education at the Regional Pride Center.

Dr. Krug said that if it is a disciplinary problem, the School Board is the determining factor in who goes to Pride. There are also children who need special services that we are not able to provide here in Appomattox. The cost for a "normal" child is about

\$6,000 while Special Educational costs about \$11,000. The Federal Government does not pick up this costs.

Mr. Moore asked about the number of students in this category?

Mr. Perrow replied that there are about 300 in Special Education. Also, there are about 15-20 cases on any given day, who need special care for one reason or another. There are probably 11 or 12 students who go to Lynchburg each day to the Pride Center.

It probably costs about \$50/day per student for the "No Child Left Behind" program.

Mr. Craft questioned the salaries for teacher assistants and clerical personnel.

Dr. Krug stated that they were behind everyone else in the region.

Mr. Carter asked for clarification on the amount it costs per student - \$6,000 versus \$2,000.

Mr. Perrow replied that \$2,000 was about right for the local share.

Mr. Carter asked about the disparity in health insurance between the County employees and the School personnel during the last budget period. The County budgeted for this difference, but the School Board did not.

Mr. Perrow replied that this has been worked out. Also we should benefit from lower claims, if things hold constant.

Mr. Carter also questioned staffing and said that we are way ahead of six (6) counties he surveyed regarding the number of administrative staff.

Dr. Krug challenged this and asked to see this information, which Mr. Carter graciously provided.

Mr. Perrow addressed a few more of the budget items. The Federal Government is cutting down on Career and Technology classes and programs. Rising fuel prices has played an important role in the budget. Health claims are low, so they may get down to only a 5% increase in premiums.

Mr. Carter clarified that the proposed County contribution included basic minimum plus about \$250,000, to which Mr. Perrow answered, Yes.

Mr. Craft asked if the School was only requesting two (2) new buses.

Mr. Perrow stated they did not request any for this year, but there may be some good news from other sources that may allow them to purchase a couple of buses.

Mr. Carter commented on the boilers at the Appomattox Middle School.

Mr. Perrow stated that these boilers are early 1980's vintage and one leaks and has a blow by problem. Replacement would involve some engineering work because the newer models are smaller and more efficient.

Mr. Waddell commented that the boilers were considered for replacement when the school was renovated, but not done because they were relatively new, but strides have been made in efficiency.

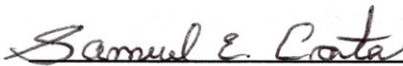
Mr. Carter said the Board of Supervisors wants to work with the School Board to come up with ways to be proactive.

Dr. Krug challenged Mr. Carter's data from earlier. He said that the schools didn't report things equally. He stated that Appomattox reported office staff, but other counties did not include theirs. Appomattox probably has eight (8) professionals on Administrative staff, not 23, but he will check on this.

Mr. Conrad wanted everyone to know that the Board of Supervisors does care, but unfunded mandates really "arrests" the Board's ability to do the right this.

At 8:30 p.m. Ms. Martin made a motion, seconded by Mr. Todd to adjourn the School Board.

AT 8:31 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn the Board of Supervisors. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)


Samuel E. Carter, Chairman

On Monday, March 20, 2006 the Appomattox County Board of Supervisors held a Public Hearing at 6:00 p.m. at the Appomattox County Community Center located at 220 Community Lane, Appomattox, VA. 24522.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

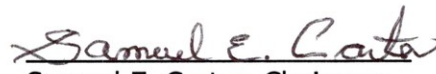
ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:00 p.m. Mr. Carter opened the Public Hearing and stated that the purpose of this public hearing was to receive comments on the use of the Old Courthouse building.

Mr. Carter asked that anyone wishing to speak, please approach the microphone, give your name and address for the record.

Ms. Terri Conrad, 102 Acorn Drive, Appomattox, VA: Ms. Conrad stated that when she spoke to the Board previously, that she was speaking of using part of the Carver-Price Education Building but they are so appreciative to the Board for coming up with this wonderful idea for them because it not only incorporates a space for us but incorporates part of their mission and that is to help keep intact historical buildings. She would really like to say a heartfelt "Thank You".

Mr. Carter asked if anyone else wished to speak. Hearing none, Mr. Carter closed the public hearing at 7:16 p.m.


Samuel E. Carter, Chairman

On Monday, March 20, 2006, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located at 220 Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

Ms. Ferguson noted a couple of changes to the CDBG Resolution. These changes will be corrected on the Resolution when adopted.

Mr. Carter next called for the **Citizen Public Comment Period**: This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

Dr. Kim Wright, Appomattox, VA: Dr. Wright is concerned about the situation with the rescue squad. She does not want to sound critical because she knows that these people volunteer their time and we have some very dedicated members. Her husband was a member of the rescue squad for several years. They have people come into their office because they were unable to get a squad. She is concerned about their safety in getting to Lynchburg. Sometimes the medical problem is one where time is of the essence. Also, sometimes it is not safe for a family member to be driving a seriously ill person to the hospital. She is aware that this matter has been addressed several times, but she definitely feels the citizens need this service readily available.

Mr. Carter stated that the Board is very concerned about this matter also and another meeting has been scheduled to see what help can be provided to make the citizens feel safe.

Mr. Carter then moved on to the **ADMINISTRATIVE ITEMS**: (Items 1-6)

1. **CVCC Board Appointment:** Mr. Tommy Ford's term is up on the Central Virginia Community College Board. Mr. Ford has served the maximum number of terms as set in the Policies, Procedures and Regulations.

Mr. Carter asked if this appointment should be advertised.

Mr. Conrad stated he thought we had sort of made a policy whereby we would advertise for these vacancies if the Board did not have a recommendation. If we do not have anyone interested in serving in this capacity, then the Board would have to make a recommendation.

Mr. Craft asked if the Board was sending a "Thank You" note when someone completes serving a term on a committee, commission or board.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to advertise for interested persons to fill the vacancy on the Central Virginia Community College Board. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Building Permit Refund Request:** Mr. James Varndell is requesting a refund of his building permit fee. He has decided not to construct a dwelling at this time.

One inspection has been made for a temporary electric service so it is recommended that a charge of \$40.70 be made for the cost of an electrical permit.

After some discussion surrounding the reason for this request, Mr. Moore made a motion, seconded by Mr. Craft, to refund the amount of \$509.28 to Mr. James Varndell

for the cost of a building permit minus \$40.70 which represents the cost of an electrical permit due to the fact that one electrical inspection has been made. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Insurance Pamplin Community Center:** There appears to have been some misunderstanding with the Pamplin Fire Department concerning insurance coverage on the old firehouse. The County has never carried coverage on the old firehouse as far as we have been able to determine.

At the last meeting, the Board agreed that you would increase the insurance on the new firehouse and on the contents but would not carry coverage on the old firehouse. In looking into this matter, Pamplin Fire Department has found that the coverage is much cheaper if they are carried on the County's policy and are allowed to pay the County the premium for the old firehouse.

Mr. Overstreet stated that the county is authorized to grant funds to volunteer fire companies, so he feels we certainly have the authority to provide that insurance coverage, though they have indicated that they will reimburse for this coverage in order to obtain a cheaper rate. Also, there should be some determination that the uses of the building are part of their fire prevention services and part of the County's coordinated efforts on Emergency Services. He is fearful that if the insurance policy is written or riders placed on the County Policy, and a determination is made later that it wasn't part of it, coverage could be denied. He feels we should fully document this with our insurance carrier and make sure the underwriter knows what is going on before agreeing to insure this building.

After a lengthy discussion, it was the consensus of the Board to received more written documentation before acting on this issue, and discuss at a future meeting.

4. **Chief Magistrate Office Expense:** Mr. Overstreet has provided a copy of correspondence between him and the Supreme Court concerning office space for the Chief Magistrate. Also, the County Administrator has received a letter of correction from Mr. Oakes, Chief Magistrate, explaining that he misunderstood how much his rent was going to be and therefore, gave us an incorrect figure as to Appomattox County's share of expenses.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the expenditure for the Chief Magistrate's office expenses based on whether or not the other localities agree to pay their share. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Burning Ban:** Due to the dry conditions in our area most of the surrounding counties have put into effect a burning ban in their counties. The County Administrator is checking with the Forestry Service to see what they recommend for Appomattox County.

Ms. Ferguson stated the Forestry Service would not make a recommendation one way or the other. The Forestry Service usually does a statewide ban and they have not issued one at this time.

Mr. Carter stated he had received several phone calls in this regard as to why Appomattox had not enacted a burn ban due to the dry conditions that we are experiencing plus the wonderful March winds. Personally he feels it is a good idea.

Mr. Craft agrees with Mr. Carter in that as long as we have these dry and windy conditions, this is a concern for everyone.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Craft, to issue a Declaration of Local Emergency that Appomattox County would not allow any outdoor burning until further direction by the Board of Supervisors.

Mr. Carter, Chairman made the following Declaration:

This is to notify you that the Appomattox County Board of Supervisors has declared that an emergency exists wherein the continued dry weather conditions require the issuance of a burning ban making it unlawful for any person to set fire to, or procure another to set fire to any woods, brush, logs, leaves, grass debris or other flammable material within the boundaries of Appomattox County, Virginia.

This burning ban will continue in effect until terminated by action of the Board of Supervisors.

The effective date of this burning ban is Tuesday, March 21, 2006. If you should have any questions concerning the institution of this declaration of emergency for burning ban in Appomattox County, they should be directed to the County Administrator's Office."

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 6. Resolution to Endorse CDBG Application:** The required public hearings have been held and we now need to adopt the resolution supporting the CDBG application.

Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the following resolution supporting the CDBG application:

**RESOLUTION TO ENDORSE THE APPLICATION FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO ADDRESS WORKFORCE
DEVELOPMENT AND EDUCATION NEEDS IN THE COUNTY OF APPOMATTOX.**

WHEREAS, the Commonwealth of Virginia Department of Housing & Community Development has announced available funding for the Virginia Community Development Block Grant program; and

WHEREAS, the County of Appomattox and the Appomattox Management Team underwent a thorough planning process to identify and prioritize long-term needs to sustain and

strengthen the County of Appomattox, has identified workforce training deficiencies in the county, and

WHEREAS, assistance is needed to provide workforce training and small business counseling opportunities to low and moderate income persons within the County of Appomattox, and

WHEREAS, Approximately \$1,304,741 will be expended on this project, with the primary sources being Virginia Community Development Block Grant (\$700,000), Virginia Tobacco Settlement Commission (\$16,240), U.S. Department of Housing & Urban Development Economic Development Initiative (\$103,092), Central Virginia Community College (\$175,000), and the County of Appomattox (\$310,409), and it is anticipated that at least 795 Appomattox Citizens will use the center annually, approximately 394 of them being classified as low and moderate income, and

WHEREAS, the Appomattox County Board of Supervisors is committed to the development of a workforce development center as a component of the renovation of the Carver-Price School and will be responsible for the management, maintenance and operation of the building to ensure that a workforce development center can continue as long as Central Virginia Community College continues to lease the facility for classes that improve and enhance the education level of the workforce and business community of Appomattox County, and

WHEREAS, the Appomattox County Board of Supervisors will appoint a committee to govern the program development and execution of the workforce development center, and that said committee will consist of representatives of the workforce development center invited partner organizations, including, but not limited to Central Virginia Community College, Appomattox County Public School System Adult G.E.D. Program, Region 2000 Workforce Investment Board, Virginia Employment Commission, Region 2000 Small Business Development Center, and the County of Appomattox.

WHEREAS, citizen participation requirements will have been met by holding two public hearings advertised through the local newspaper on January 25, 2006 and February 22, 2006 and through distributed flyers.

THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Appomattox wishes to apply for funding in the amount of \$700,000.00 from the Virginia Community Development Block Grant program for a Community Improvement Grant to be utilized to develop a Workforce Development Center in Appomattox County. Be it further resolved that Aileen T. Ferguson, County Administrator, is hereby authorized to sign and submit the appropriate documents for submittal of this Virginia Community Development Block Grant Application.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 6:68 p.m. Mr. Carter called for a recess to hold the Planning Commission Public Hearing.

At 7:10 p.m. Mr. Carter reconvened the Board of Supervisors.

Mr. Carter next called for the **CONSENT AGENDA:** (Item 7 -13)

7. **Approval of Minutes:** Please approve minutes for the Regular Meeting of 2-21-2006; Public Hearing on 2-21-2006; Board Work Session on 3-2-2006; Public Hearing CDBG on 3-6-2006; and Regular Meeting on 3-6-2006.
8. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

9. **Court Services Unit:** Please appropriate by consent and supplement \$2,210.00 to the Court Service budget to pay for days for youth held in the detention center.
 10. **Office of Building and Housing:** Please appropriate by consent and supplement \$309.50 to the books line in the building official's budget for code books purchased by a contractor.
 11. **Comprehensive Services Act:** Please appropriate by consent and supplement \$15,575.77 to the Comprehensive Services budget to pay bills for the month of February 2006. All but approximately 27% of these funds will be reimbursed to the County.
 12. **Library:** Please appropriate by consent and supplement \$842.90 to various line items in the Library budget for fees received.
 13. **John Spencer:** Please appropriate by consent and supplement \$82.00 to 8105-6013 to pay the architect for work done on the Workforce Development Center. These funds will be reimbursed to the County.
- Mr. Moore made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented: ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:** (Items 14 – 21)

14. **Biosolids:** Letter received from Nutri-Blend, Inc. informing of an increase in acreage on a site for Cash.
15. **Landfill Permit Application:** Letter from DEQ informing us that our permit amendment application is complete for cells J & K.
16. **Appomattox County Public Schools Financial Report:** Dr. Krug has provided the monthly financial report for the school system for the month of February 2006. Also provided is staffing comparisons for some of the school board offices in our area.
17. **Council Agenda:** Agenda for Town Council meeting held on March 13, 2006.
18. **Thank You Note:** The Appomattox County High School After Prom Party Committee would like to thank the Board for your annual contribution.
19. **Land Use Taxation:** Ms. Ferguson has been contacting people to try to find an informed person that could provide us a program taking into consideration all aspects of land use taxation. So far, she has been unsuccessful in finding this person. However, in talking with the Virginia Taxation Department they informed her to look on their website for information that might be helpful to us during this process. This information is provided for your information.

- 20. **Appomattox County Parks, Recreation & Tourism Department:** Mrs. Dixon has provided her monthly report for March 2006.
- 21. **Veterans Wall of Honor Report:** G. Howard Gregory, Public Relations Office for the American Legion Post 104, has provided an update on the progress being made on the Veterans Wall of Honor.

Mr. Conrad made a comment regarding Item #19 – Land Use Taxation. This is some good data we have received and it is pretty much involved. In looking at this information one could come up with some different scenarios. We are going to be faced with this issue and there is no question about it. He thinks maybe some type of work session would be necessary after we receive more information.

Mr. Craft feels that the Commissioner of Revenue should be asked to join in this discussion. He should be able to provide some of the information that the Board needs before making any decisions on this subject.

Mr. Armbrust also stated he had received several phone calls regarding how much this would increase the taxes on their property. At this time, he is unable to provide an answer.

Mr. Carter then asked for **SUPERVISOR CONCERNS:**

Mr. Armbrust stated he is still receiving phone calls concerning the Rescue Squad and Land Use Taxation.

Mr. Craft stated he too, is receiving questions regarding the Rescue Squad and Land Use Taxation.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

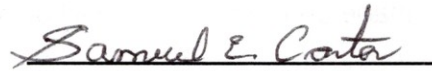
**OPEN HOUSE AT THE ANIMAL POUND
MARCH 26, 2006
FROM 3:00 P.M. UNTIL 4:00 P.M.**

**APRIL 3, 2006 @ 6:30 P.M.
REGULAR MEETING
COMMUNITY CENTER**

**APRIL 17, 2006 @6:30 P.M.
REGULAR MEETING
COMMUNITY CENTER**

**APRIL 17, 2006 AT 7:00 P.M.
JOINT PUBLIC HEARING WITH PLANNING COMMISSION
COMMUNITY CENTER**

At 7:15 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, March 20, 2006, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint Public Hearing at 7:00 p.m. at the Appomattox County Community Center, located at 220 Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien – Chairman
Al Sears
Steve Conner
Calvin Tanner
George Almond
Robert Johnson
Shannon Dews
Marvin Mitchell
Barry Morris
Bryan Baines (arrived at 7:07 p.m.)

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Attorney
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with

comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark.

Mr. Roark stated that there was one petition to be heard. Mr. Roark then read the following:

CUP 06003 – Mark Franklin, Route 679 (Double Bridges Road): The applicant is requesting a Conditional Use Permit for property located on Double Bridges Road (Route 679) between Promise Land Road (Route 604) and Chilton Road (Route 645) in order to place a mobile home on the property. Property is Tax Map #87-1-62 and is zoned V-1.

Mr. Roark asked if anyone wished to speak for this petition.

Mark Franklin, Route 679, Appomattox, VA. Mr. Franklin stated that he wished to replace his home that burned in 1999.

Ms. Evelyn Howell, Madison Heights, VA. Ms. Howell stated that she owns the adjoining property and she has no problem with Mr. Franklin placing a mobile home on his property. She is currently renting out her property.

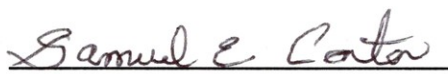
Ms. Cheryl Mullins, Route 1, Appomattox, VA. Ms. Mullins stated she is Mr. Franklin's sister. She is in agreement with this petition as Mr. Franklin is trying to provide a home for his family. Also this home would look better than just a vacant piece of land.

Warren Coleman, Double Bridges Road, Appomattox, VA. Mr. Coleman stated that Mr. Franklin had a house on this property which burned down, now he wants to put in a mobile home for his family. He is in agreement with this petition.

Ms. Ruth Coleman, Double Bridges Road, Appomattox, VA. Ms. Coleman stated she would like to see Mr. Franklin place a home on this piece of property.

Mr. Roark asked if anyone else wished to speak for or against this petition. Hearing none, Mr. Roark turned the meeting back to Mr. Carter.

At 7:09 p.m. Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

On Monday, April 3, 2006, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center, located at 220 Community Lane, Appomattox, VA. 24522.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John K. Spencer, Jr., Assistant County Administrator
John G. Overstreet, County Attorney
Johnnie Roark, County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to give the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:** There was nothing to be added at this time.

Mr. Carter called for the next item on the agenda – **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizens.

Mr. Woolwine, 1804 Police Tower Road, Appomattox, VA: Mr. Woolwine stated he is basically complaining about the spreading of biosolids. Today when he was coming home they were spreading biosolids down the road about 1/10 of a mile from his home. Their house windows were open, the top down on his convertible and they had also planned a cookout. He had no idea this would smell like it did. They also had a cookout planned. He would respectfully request that some type of notice be posted in advance so people will be aware of biosolids being spread in their neighborhood. This way, they can close up their houses and plan outdoor activities, etc.

Mr. Carter asked Ms. Ferguson if when the biosolids permit is issued, do we advertise this? Ms. Ferguson replied that we are notified about a year in advance that they will be applying biosolids on various sites sometime within that year. Bobby Wingfield has been working very closely with the people doing the application and we are becoming better acquainted with the procedure and so we can probably get that cooperation. If we could get the newspaper to publish this information at no charge, it would be a nice gesture on their part.

Mr. Conrad stated that there has been some questions addressed concerning this matter.

Ms. Ferguson said Mr. Roark has been discussing putting this into our own policy and he has an ordinance drafted, which Mr. Overstreet will be reviewing. It will then be

presented to the Board for review. If the present legislature passes, we will be allowed to place this in the ordinance.

Mr. Carter stated that there were two (2) persons present who wished to address the Board.

Mr. Carter stated that **Mr. Joe Hale of HDH Associates** is appearing to inform the Board of a major corporate donation of roofing materials for the Gymnasium of the Carver-Price School. He will also discuss the possibility of free or reduced labor to install these materials. His firm has previously estimated the cost to replace this roof to be around \$90,000.00.

Mr. Hale presented the Board with a hand out of the roofing information and a sample of the material.

Mr. Hale stated that this will be the fifth time he has been successful in getting corporate help with a worth-while project. Three has been successful and one did not get off the ground because he probably did not handle it right and the county involved really messed it up.

This is about a \$90,000 budget item. He had told Ms. Ferguson and Mr. Spencer some time ago he would try to get some involvement on the gym, since it's a county community facility. The material cost alone is about \$34,000 and Firestone Building Products and their Vice-President Jim Hall, has agreed that they will supply the next generation PTO product. One of the reasons for doing this is to have a building to watch and monitor the life of the roof for up to ten (10) years. HDH will provide technicians to monitor this.

We will need to prepare a Memorandum of Understanding and submit to Mr. Overstreet for review. Using volunteer help, we will also need to include a Hold Harmless Clause. If we can get a good roof on this facility, then we can talk to other folks about getting some of the other renovations done, as this property is a tremendous asset to the County.

Mr. Carter thanked Mr. Hale for his informative presentation and called Mr. Johnnie Roark, County Planner to address the Board.

Mr. Johnnie Roark – County Planner: Mr. Roark presented a hand-out for the hiking/biking trail – Planning Study.

Mr. Roark began by saying that for the past several months, we have discussed with Mr. Reed Johnson, the proposed trails system and the various issues of funding and how do we get from point A to point B. Here we have an opportunity of securing Federal money through the SAFETEA program which is a descendent of the old ISTEA and TEA21 programs. This money just became available around March 23rd and there is an opportunity for us to submit a planning grant application and get some money there to look at a leg of that trail, not the entire trail, but the leg of the trail from the old elementary school up to the park boundary on Route 24. In order to qualify for this

funding, it has to include that part. Mr. Johnson will be looking at this from his end through the National Park Service. Mr. Roark is not proposing any funding from the locality.

It was the consensus of the Board for Mr. Roark to proceed with this grant application.

Mr. Carter next presented the **ADMINISTRATIVE ITEMS:** (Items 1-6)

1. **Appomattox County Planning Commission Recommendations:** The Appomattox County Planning Commission met on March 20, 2006 and recommend approval of the following petition:

CUP06003 - Mark Franklin: The applicant is requesting a conditional use permit on property located on Double Bridges Road (Route 670) between Promise Land Road (Route 604) and Chilton Road (Route 645) for the purpose of placing a mobile home on the property. The subject property is zoned Village District - V1 and is identified as Tax Map #87-A-62.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve for reasons of public necessity, convenience, general welfare and good zoning practice, the Conditional Use Permit - **CUP06003 for Mark Franklin**. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Abandonment of a portion of State Road 843:** The proper notices of abandonment have been posted on State Route 843 and also published in the local newspaper for the proper length of time. No objections have been received so all is in order to proceed.

Mr. Moore made a motion, seconded by Mr. Conrad, to adopt the following resolution to abandon a portion of State Route 843:

APPOMATTOX COUNTY BOARD OF SUPERVISORS ORDER

IN RE: ABANDONMENT OF A 600' SECTION OF SECONDARY HIGHWAY #843

This matter came to be heard upon a Resolution of the Board to consider a Petition, filed by Thomas W. Cawthorne to abandon a 600' section of State Route # 843, at its terminus, at the Board's meeting on April 3, 2006, and upon proper notice as required by the Code of Virginia, no one having filed a Petition for a public hearing within 30-days thereafter.

Upon information received by the Board, the board finds that said road is no longer necessary for the uses of the secondary system of highways of the Commonwealth of Virginia nor for continuance as a public road, and that there are alternative routes for use by the public.

Wherefore, the Board doth order that said 600' section of road at the terminus of State Route #843 be, and it hereby is, abandoned as public road pursuant to Sec. 33.1-151 Code of Virginia.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. Resolution to accept Beechnut Drive into the Secondary Road System:

VDOT has requested the Board of Supervisors adopt a resolution accepting Beechnut Drive in Country Haven Estates into the Secondary Road System. The proper procedures have been followed and \$9,286.00 has been deposited with the Treasurer to cover the required match.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt the following resolution accepting Beechnut Drive into the State Secondary Road System and to make a supplemental appropriation of \$9,286.00 to pay the required match to the Treasurer of Virginia.

RESOLUTION

WHEREAS, the street described below was established April 25, 1979 and currently serves at least 3 families per mile, and

WHEREAS, the Virginia Department of Transportation is assisting the County to improve its current subdivision control ordinance so that it meets all necessary requirements to qualify the county to recommend additions to the secondary system of state highways, pursuant to §33.1-72.1, Code of Virginia, and has granted the County a cooperative period in which to accomplish that goal, and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following street be added to the secondary system of state highways, pursuant to §33.1-72.1, Code of Virginia:

Name of		
Subdivision:	Country Haven Estates	
Name of Street:	Beechnut Drive	
From:	Route 750 (Chestnut Mountain Drive)	
To:	0.09 mile north Route 750 to cul-de-sac	Length: 0.09 miles
Guaranteed Right-of-Way		
Width:	50 feet	

Plat Recorded Date: 04/25/1979 Plat Book: 2 Page: 33-34

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described above, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to §33.1-75.1, Code of Virginia, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and a county check in the amount of \$ 9,286.00 representing the County's revenue sharing contribution to revenue sharing allocations in Fiscal Year 05-06 and fifty percent of the Department's cost estimate of \$ 18,572.00, be forwarded to the Residency Administrator of the Virginia Department of Transportation.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Request for Entertainment Permit from Stonewall Antique Power Association:** Stonewall Antique Power Association is requesting permission to hold their annual weekend event, May 20 and 21, 2006. They are also requesting that the bond fee be waived.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the request of Stonewall Antique Power Association to hold its annual weekend event on May 20 and May 21, 2006 and to waive the bond fee requirement. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 5. Insurance on Old Pamplin Firehouse:** At the last meeting, a request was made for more information concerning the use of the old Pamplin firehouse. Alan King of the Pamplin Volunteer Fire Department has provided the requested information. We are still waiting on a reply from the insurance underwriter.

Ms. Ferguson stated that this arrangement was acceptable with the insurance carrier.

After some discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to approve the request of the Pamplin Volunteer Fire Department to have the Old Pamplin Firehouse covered under the County's insurance with the Volunteer Fire Department reimbursing for the cost of said insurance. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 6. Regional Dinner:** The Regional Dinner will be held in Bedford on April 20, 2006. Please notify Ms. Ferguson's office to make your reservation.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 7 – 14)

- 7. Approval of Minutes:** Please approve minutes of Joint Meeting with School Board on March 13, 2006; Public Hearing on Old Courthouse on March 20, 2006; Regular Meeting on March 20, 2006; and Public Hearing with Planning Commission on March 20, 2006.

- 8. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

9. **Sheriff's Department:** Please appropriate by consent and supplement \$169,124.00 for the new radio system at the Sheriff's Department.
10. **Appomattox Volunteer Fire Department:** Please appropriate by consent and supplement \$2,353.00 for additional insurance purchased by the Appomattox Volunteer Fire Department.
11. **Maintenance:** Please appropriate by consent and supplement \$3,331.00 to professional services for roof leak at the jail and heat pump repairs at the Community Center; \$6,456.00 to pay for an increase in the County's general liability insurance; \$10,200.00 to pay Precision Power for money reimbursed to the County for the problems with the UPS unit at the 911 Center.
12. **Comprehensive Services Act:** Please appropriate by consent and supplement \$24, 079.00 to the Comprehensive Services budget to cover expenses for March, 2006.
13. **Economic Development:** Please appropriate by consent and supplement \$4,300.00 to 8105-6013 to pay HDH Associates for work performed in connection with the CDBG Grant application.

FUND TRANSFERS:

14. Please transfer by consent and supplement \$10,563.84 to the Sports Complex Fund to pay bills for the Community Park.
Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:** (Items 15 – 17)

15. **Town Council Agenda for March 28, 2006:** Agenda for Town Council meeting held on March 28, 2006.
16. **Robert E. Lee Soil & Water Conservation District:** Minutes of Robert E. Lee Soil and Water Conservation meeting held on February 23, 2006.
17. **Supervisor Concerns:** Mr. Carter asked if anyone had anything to present at this time.

Mr. Carter informed the other members that there could be some water related issues regarding the 122 acres in the Courthouse District off Country Estates Road, that was approved for zoning as requested by Mr. Fred Jones, and the Town is looking into possibly making a Boundary Line Adjustment sometime in the near future.

UPCOMING MEETINGS

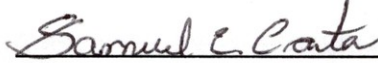
April 17, 2006 @ 6:30 p.m.

**Regular Meeting
Community Center**

**April 17, 2006 @ 7:00 p.m.
Joint Public Hearing with Planning Commission
Community Center**

**April 20, 2006 @ 6:00 p.m.
Regional Dinner
Bedford Visitor's Center**

At 7:13 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Wednesday, April 12, 2006 the Appomattox County Board of Supervisors held a Special Called Budget Work Session at 7:00 p.m. in the Old Juvenile & Domestic Relations Courtroom located in the County Administration Building, 175 Morton Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT:

Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator

At 7:00 p.m. Mr. Carter called the work session to order and gave the invocation.

Ms. Ferguson stated there is never good news when it comes to the budget. Everything is preliminary, especially on the revenue side, until the Legislature decides to make some decisions and send us something concrete. Expenditures include all the requests that have come in with the exception of three, that she will throw out to you now, one she just found out about today. To start out with, we are about \$1,731,662 short. However, we need to add these items:

1. The gas remediation system for the landfill will cost at least \$500,000.
2. Additional request today to put on a full-time CSA Coordinator. If that happens, in addition to salary, benefits, etc., we will need another vehicle as this person

will have to be visiting clients, residential facilities, etc. Total package for this position will be about \$90,000. This may be a little on the high side.

3. Another vehicle for the Animal Warden Department - \$30,000.

CSA COORDINATOR:

In years past, we have been sharing a CSA position with Campbell County. Recently they informed us that due to the increased work load of this person, they would no longer contract with us to provide these services. We have been paying them approximately \$12,500 per year for providing case management, taking care of all the financial filings, and all the records keeping, etc. All we had to do was have our FAPT Team meetings, and our CMPT meetings and pay the bills. When Dorinda Grasty received this letter, she did not believe we had anyone who could take on these responsibilities. Ms. Ferguson called Buckingham to see if they were interested in sharing a CSA Coordinator and they are not. Their Social Services Department handles this. She saw Jonathan Pickett at a meeting in Pamplin and asked what they were doing. He informed her that they had hired a full time position in the County Administration Office to do the CSA duties and also to help with other administrative duties. It became clear that no one was interested in sharing a position.

In the FAPT meeting today, a recommendation was made to hire a full time person. The present CSA Coordinator also suggests that we hire a full time person. This year, to date, the CSA Coordinator shows an expenditure of \$305,562.29 which is less than what our records indicate. By next year, you could very easily see this budget top \$500,000. We definitely need to do something. The Team seems to think that if we had a coordinator that would track these kids, it would save us money. FAPT could recommend a program for a child for six months and the CSA Coordinator could say, no way, why not try for three months and closely monitor to see what happens in that period of time and then recommend what should happen next. Everyone seems to feel a full-time position would save the County money in the long run.

There were some questions regarding exactly what a CSA Coordinator does. This information was included in tonight's packet. The CSA costs continuously increases. A CSA coordinator would basically handle all the administrative things that are associated with the Comprehensive Services Act.

Amherst County's job description includes: Develop and recommend CSA policies and procedures; monitors compliance with Code of Virginia State and Local regulations and policies; participates in long range planning; contracts with providers for services; assists in developing service recommendations and evaluates the effectiveness of providers; prepares State reports; monitors expenses; monitors case managers service authorization with vendor invoice and verifies effectiveness of services; recruits and trains parent representatives and private sector representatives; prepares, implements and regularly updates the plans on community education, customer awareness participation, etc.; facilitates the assessment of child and family strength, needs and resources and ensure that the CAFES (evaluation form) has been completed; ensures case manager has documented all relevant case information; identifies funding sources for identified services and availability of needed services, etc.

Basically what happens is the school will refer a child for truancy, FAPT looks at the case, and determines what type of help is needed, for example, a mentor or an in-home assessment to determine what is going on and there are various levels of things that can be done to help. Home help is the least expensive type of treatment. There are also day treatment programs and there are also residential treatment programs. We are currently paying for these programs, but Campbell County CSA Coordinator has been managing our programs.

Mr. Carter asked why this program did not come under Social Services?

Ms. Ferguson answered that Social Services has no funding for these services. The Legislature this year tried to get CSA money increased to where localities like Appomattox would receive about \$45,000 in administrative funds. Right now, the State sends us \$9,174 back to administer this program. There were some people trying to get this increased and it would have given us the \$45,000 which would have been a big help towards what we are looking at right now. However, this proposal did not pass and we are back right where we were, \$9,174 reimbursement from the State for us to manage a \$300,000 - \$400,000 program.

We are approved by CSA for \$65,000. Then you have to ask for additional funds, which are usually provided, but you have to jump through hoops to get it. We have gotten back about \$140,000 from CSA so far. Most of that money was from FY2005. The CMPT is very concerned because none of their departments are capable of taking on these responsibilities. Our case load has increased from five to twenty-five.

When projecting the revenue, this expenditure is included in expenditures with a like amount in revenue, minus the composite index which the county is liable for.

We need to decide what we are going to do, as we need to put money in the budget to cover this position, and have someone hired and in place by July 1, as this is when Campbell County will no longer provide these services. Ms. Ferguson would prefer that this person be located in the Administrator's Office as opposed to Social Services as a lot of people view Social Services as being too involved in their lives to begin with and a lot of the time custody and foster care becomes an issue and gives the appearance that CSA is working with Social Services. A lot of these referrals come from the school system. Based on a salary scale from Amherst County with a starting salary of \$38,708, using \$40,000 as the worst case scenario, she estimates it will initially take about \$90,000 to set up this position, salary & benefits, office equipment and a vehicle. There was a lengthy discussion regarding what department should take on this position.

TAXES:

Ms. Ferguson stated that there had been some discussion last year as to why we did not raise the Personal Property Tax Rate instead of constantly "beating the real estate people all to pieces". We know something will have to occur this year. If you raise the Personal Property Tax Rate from \$3.50 per hundred to \$4.50 per hundred, you will generate \$699,386.

BUDGET REQUESTS:

CONTRIBUTIONS – 7109: These requests were entered as presented with back up material. There was no money placed in Youth Sports because of the work being done at the park. Most of the requests remain the same as they have in the past. Legal Aide, The Ark and one Longwood University request will be taken out.

Each department budget request was reviewed. The overall budget, includes a 4% salary increase, VRS and Group Life Insurance increase, an anticipated increase in Anthem of approximately 6%, and a increase in mileage re-imbursement to match the IRS.

ASSESSOR & REASSESSMENT – 1210: \$171,941 – includes a staff person, telephone, etc., professional services.

BOARD OF ASSESSORS/EQUALIZATION – 1211: \$8,612 - salaries, FICA

COMMONWEALTH ATTORNEY – 2201: Increase due to additional employees

E 911 – 3606: Major increase is in salaries

REFUSE COLLECTION – 4203: Increase in vehicle supplies – due to fuel price increase (some discussion on the delay in opening new cell – hauling elsewhere)

GENERAL PROPERTIES – 4302: Part-time salaries \$12,360

CVAAA CONTRIBUTIONS – 5105: Requested additional funds for van

COMPREHENSIVE SERVICES – 5310: New position and equipment discussed at beginning of meeting.

PUBLIC LIBRARY – 7301: Increase in part-time salaries (they would like to hire a 20-Hour week person to work at the Pamplin Annex) plus \$8,000 for equipment.

DEBT SERVICE – 8103: Decrease – Doctor's Office paid off in November 2006

ZONING & SUBDIVISION – 8104: Salary for Planner

ECONOMIC DEVELOPMENT – 8105: Increases -Site Preparation \$228,030 and Carver-Price School \$148,800.

SCHOOL BUDGET & CAFETERIA FUND – Some Discussion

SOCIAL SERVICES – Never receive their budget until May. Barry Elder has given us a figure of \$212,000 which simple reflects what he is estimating the localities share to be. The figure in the adopted budget will much greater (\$1 + million)

Total Budget Expenses: \$30,989,923

Total Revenue: \$29,258,261-

Another meeting was scheduled for Wednesday, April 26, 2006 at 7:00 p.m.

If anyone has any questions, please let Ms. Ferguson know so she will have time to research.

Mr. Conrad made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, April 17, 2006 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
John G. Overstreet – County Attorney

At 6:30 p. m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:** There were no items to be added at this time.

The next item on the agenda was the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There was no one who wished to speak.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1-3):

- 1. 2008 Reassessment:** The Committee interviewed three (3) firms to undertake the 2008 reassessment for Appomattox County. All of the firms were well qualified and capable of performing the task.

The committee recommends Wingate Appraisal Service be offered the contract for the 2008 Reassessment at a price of \$17.50 per parcel.

Ms. Ferguson stated that all three firms presented themselves well in the interview process but Wingate made the best impression on the interview committee. They seemed to understand the rural nature of Appomattox County.

Mr. Conrad stated that Mr. Wingate impressed him with their desire to take on this job and their experience in rural areas and they seemed to have a better comprehension of our situation.

Mr. Craft agreed with Mr. Conrad and Ms. Ferguson. He was very impressed by Mr. Wingate's answers to the questions presented.

Mr. Conrad made a motion, seconded by Mr. Craft, to offer the 2008 Re-assessment to Wingate Appraisal Services at a price of \$17.50 per parcel. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **All Hazards Mitigation Plan/Flood Mitigation Plan:** Bobby Winfield has been working with the other local governments in the Region to develop a Hazard Mitigation Plan. In order to continue to receive some funding Appomattox County must adopt this plan. Mr. Winfield is requesting a public hearing be held on May 15, 2006 at 6:00 p.m. to receive comments on the proposed plan in order to move forward with its adoption.

Ms. Ferguson informed the Board Members that a copy of this Mitigation Plan was on file at the County Administration Office and Mr. Winfield would be willing to reproduce it on a disk if anyone wishes a copy.

Mr. Moore made a motion, seconded by Mr. Armbrust, to schedule a Public Hearing on the All Hazards Mitigation Plan/Flood Mitigation Plan for May 15, 2006 at 6:00 p.m. at the Appomattox Community Center. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Library Board:** Jan Peterson has written explaining that his term on the Library Board expires June 30, 2006 and he is unwilling to continue to serve on this Board. Mr. Peterson represents the Piney Mountain District; therefore, the appointment needs to come from this District.

It was the consensus of the Board to run an advertisement for the vacancy on the Library Board. Also Ms. Jackie Johnson, will be notified to have her fill out and submit an application.

Mr. Carter next called for the **CONSENT AGENDA:** (Items 4-14)

4. **Approval of Minutes:** Please approve minutes for regular meeting held on April 3, 2006.
5. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

6. **Court Services Unit:** Please appropriate by consent and supplement \$7,685.00 to the Court Service Unit budget to pay for juvenile detention.
7. **Commonwealth's Attorney:** Please appropriate by consent and supplement \$5,728.00 to the Commonwealth's Attorney's budget to pay for additional expenses in various line items in his budget.

Also, please appropriate by consent and supplement \$4,847.00 to the Commonwealth's Attorney's budget for additional funds received from the State to purchase equipment.

8. **Sheriff's Department:** Please appropriate by consent and supplement \$218.00 to the Overtime line item in the Sheriff's budget for reimbursement received from Department of Justice.

Also, please appropriate by consent and supplement \$100.00 to the Sheriff's budget for restitution received for damage to one of the police vehicle.

9. **Pamplin Fire Department:** Please appropriate by consent and supplement \$233.00 to the insurance line in the Fire Department's budget to cover additional cost for insuring the Pamplin Community Center. This money has already been reimbursed to the County by the Fire Department.

10. **Comprehensive Service Act:** Please appropriate by consent and supplement \$24,389.00 to the Comprehensive Services Act budget to pay bills for March 2006.

11. **Appomattox County School Board:** Please appropriate by consent and supplement \$57,430.55 to the School budget for funds received from a School Improvement Grant.

Please appropriate by consent and supplement \$24,527.03 to the School budget for funds received from a 21st Century Learning Grant.

Please appropriate by consent and supplement \$160.70 to the School budget for funds received from Hope Community Services Inc. for Head Start Transportation Reimbursement.

Please appropriate by consent and supplement \$2,436.00 to the School budget for funds received from Virginia Tobacco Settlement Foundation Grant.

Please appropriate by consent and supplement \$531.50 to the School budget for funds received as reimbursement for dental insurance premiums.

Please appropriate by consent and supplement \$12,013.54 to the School Budget for funds received from Medicare Reimbursement.

Please appropriate by consent and supplement \$10,129.44 to the School Budget for funds received from the United Way of Central Virginia for Spot and Dot.

12. **Library:** Please appropriate by consent and supplement \$1,128.69 to the Library budget for funds received from book sales, donations, etc.

FUND TRANSFERS:

13. **Emergency Management Grant:** Please transfer by consent \$141,909.97 from the Emergency Management Account into the General Fund to pay for the Sheriff's Radio System.

LINE ITEM TRANSFER:

- 14. Commonwealth's Attorney:** Please transfer by consent \$9,591.00 from Operating Reserve to the Commonwealth's Attorney's Budget.
- Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **CONSENT AGENDA** as written: ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next read the **INFORMATIONAL ITEMS:** (Items 15 – 19)

- 15. Appomattox County School Board:** Please find enclosed for your information the monthly financial report for the month of March 2006.
- 16. Town Council Agenda for April 10, 2006:** Agenda for April 10, 2006 Town Council Meeting.
- 17. Citizen Request for Dog Confinement:** Letter received from Rose M. Lesley requesting that the Board pass an ordinance requiring that dogs be confined to owner's property.
- 18. Appomattox County Parks, Recreation & Tourism Report:** Ms. Dixon has submitted her report for the month of April 2006.

Mr. Carter asked for **SUPERVISOR CONCERNS:**
There were no concerns to be discussed at this time.

Mr. Carter called for a fifteen (15) minute recess prior to the Planning Commission Public Hearing.

At 7:15 p.m. Mr. Carter reconvened the regular meeting.

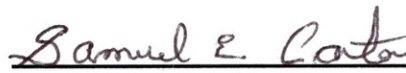
Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

**April 20, 2006
REGIONAL DINNER
6:00 P.M.
BEDFORD AREA WELCOME CENTER**

**APRIL 26, 2006
BUDGET WORK SESSION
7:00 P.M.
OLD J & D COURTROOM**

**MAY 1, 2006
REGULAR SCHEDULED MEETING
6:30 P.M.
COMMUNITY CENTER.**

At 7:16 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Monday, April 17, 2006 the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox Town Council held a joint public hearing at 7:00 p.m. at the Appomattox County Community Center located on Community Lane in Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien – Chairman
Steve Conner
Al Sears
Calvin Tanner
George Almond
Robert Johnson
Barry Morris
Shannon Dews
Brian Baines
Marvin Mitchell

PRESENT: (Town Council)

Ronald Spiggle – Mayor
Marvin Mitchell
Norman (Jimmy) Mayberry
Joyce Bennett
Steve Lawson
Lewis McDearmon

ABSENT:

John Wilson

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner
John G. Overstreet, County Attorney

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with

comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark who read the first petition.

Petition #CUP 06004 – Kenneth & Robin Wolfskill, Poorhouse Creek Road (Route 639) The applicants are requesting a Conditional Use Permit for property located on Route 639 (Poorhouse Creek Road) between River Ridge Road and Morningstar Road, for the purpose of locating a campground on said property. The property is zoned A-1, Agricultural and containing approximately 15.4 acres and is identified as Tax Map #79-A-14A and a portion of #79-A-14B.

Kenneth Wolfskill, Poorhouse Creek Road, Appomattox, VA: Mr. Wolfskill stated their intentions for this property are pretty simple. They have cleared enough trees out for thirteen (13) campsites. They also plan to have a riding rink and also he plans to give some riding lessons, etc. He has had several years of experience in planning and establishing trails and wildlife habitats. They also have room for additional campsites in the future. He also plans to have some evening activities such as bluegrass music and maybe some Cowboy Re-enactments.

Mr. Roark asked if anyone else wished to speak for this petition.

Hearing none, Mr. Roark asked if anyone wished to speak against this petition.

No one spoke against this petition.

Mr. Roark read the next petition:

Petition #06-401 – Walter Gum Manor – Lawson Family, LLC: The applicants are requesting a Conditional Use Permit from the Appomattox Town Council for the purpose of establishing a development for the elderly, consisting of 24 one-bedroom apartments, within one building, on 1.77 acre of property located on State Route 662 and Route 1010 between Plant Drive and Rose Lane. Property is zoned R-2 Residential and is Tax Map #64A6-(A)-68.

Mr. Roark asked if anyone wished to speak for this petition.

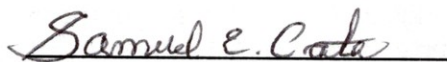
Lester A. Wagner, Richmond, VA: Mr. Wagner stated he is representing the Virginia United Methodist Housing Development Corporation. This request is for 24 apartments for the elderly, consisting of one-bedrooms in one building. There will also be a community room, a laundry and an office.

Ms. Birdie Harvey, Rose Lane, Appomattox, Va.: Ms. Harvey was happy to learn that the factory lot is the proposed site of the Walter Gum Manor. In case anyone is wondering why is it called the Walter Gum Manor, these Methodist housing facilities for the elderly, are named for former Bishops around the Virginia Methodist Conference. It

is her hope that the zoning application for this Conditional Use Permit will be granted. She has seen the Goodson Manor in Farmville. It is a very attractive building on the outside, nicely landscaped and really looks nice. Even though she does not plan to move into the Walter Gum Manor facility, she is thankful that her neighborhood was chosen for the location of this facility and she welcomes it to her neighborhood. The bottom line is, she is a Methodist.

Mr. Roark asked if anyone else wished to speak in favor of this petition. Hearing none, Mr. Roark turned the meeting back over to Mr. Carter.

At 7:10 p.m. Mr. Carter closed the Public Hearing and called for a five (5) minute recess.


 Samuel E. Carter, Chairman

On Wednesday April 26, 2006 at 7:00 p.m. the Appomattox County Board of Supervisors held a Budget Work Session at the Old Juvenile & Domestic Relations Courtroom located in the County Administration Building at 175 Morton Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad – Falling River District
 Willie H. Craft – Appomattox River District

ABSENT:

Shawn A. Armbrust – Wreck Island District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
 Barry Elder, Director of Social Services

At 7:00 p.m. Mr. Carter called the meeting to order and gave the invocation.

Ms. Ferguson stated she had asked Mr. Elder to address the Board specifically about Comprehensive Services Act and the position we are needing to take care of the administrative and follow the casework on the children who need services.

Mr. Elder stated he appreciated the Board taking the time to allow him to explain the Comprehensive Act. Mr. Elder stated he was addressing the Board as a member of the Community Policy and Management Team concerning the Comprehensive Services Act Coordinator. Ms. Dorinda Gratsby is the Chairperson of the committee and was unable to attend tonight due to a previous commitment. The Comprehensive Services Act is a program that sort of came into being and a lot of people do not know what it is all

about. CSA stands for Comprehensive Services Act for at risk youths and families. It was passed by the Virginia General Assembly in 1992. The General Assembly was concerned that too much money was being spent on duplicated and fragmented services for the children of the different counties. Two agencies giving a child the same service or the child receiving just a piece of the services available. This act was passed to ensure that the children received high quality, less restricted and unduplicated services. They felt this would best be done if managed at the local level with agencies working together. They took money from the Department of Juvenile Justice, the Department of Social Services, Department of Education and Mental Health and combined them into one pool of funds. They then charged the localities with managing and overseeing this program as well as its money, without approving any new positions and very little funding to do so. There are certain children that through law in the State of Virginia are mandated to receive these services. (Code of Virginia – Section 2.2-5211). Two teams work with this money, the Family Assessment and Planning Team, which is known as FAPT and they make the plans for the children and the money that will be spent on them. This team consists of people from the Supervisory level from the Juvenile and Domestic Relations Court Service Unit, the School System, the Department of Social Services, Mental Health and the Health Department and they have one community parent representative. The Community and Policy Management Team, of which he is a member, called the CPMT which approves that the plans submitted by FAPT, keeping in mind the most efficient and most effective use of the funds provided. The CPMT members of the heads of the previously mentioned agencies, plus the County Administrator. These teams meet on a monthly basis or more frequently if needed and FAPT has taken all day to carry on their business as they meet to consider the needs of these high risk children. In addition to their regular full time jobs, from 1992 to 2003, these team members carried the caseload themselves. They did the case management, and the case utilization. In 2004, The Appomattox CPMT realized that this responsibility was too labor some and time consuming for members to perform and take care of their regular jobs. They contracted with Campbell County CSA to share their Coordinator and Case Manager, on a part-time basis, at a cost of \$12,000.00 per year. Caseloads have increased tremendously in both Appomattox and Campbell Counties over the last few years, causing Campbell County to not renew our contract this year.

In 2004, when we contracted with Campbell County, we served 14 families, spending \$101,000.00 in services. In 2005, we served double that number, 33 families, spending \$239,000.00. Already in 2006, we have 28 families and have spent \$300,000.00, with a yearly total expected to be well over \$400,000.00. This is a tremendous responsibility and we need a full-time CSA Coordinator/Case Manager, to see that this is done correctly and in the best interest of the children, the county and the taxpayers. The duties would include case management, visitation of the children and families, coordination of services, utilization management- seeing that the money is spent correctly and justifying that money with Richmond. This job would also include requesting or "sometimes called begging" money to supplement our funding from the Office of Comprehensive Services in Richmond. This person would also attend all meetings of the FAPT and CPMT to insure they stay within the policy guidelines.

So far this year, the School System has 17 cases, Social Services, 2 cases and other representatives have a total of 5 cases. The CSA Coordinator/Case Manager position

may save money in the long run by having one person coordinating services to make sure that the child is getting the best services for the money. This may mean that a child in an expensive residential placement leaving sooner and stepping down to less restrictive service thus saving thousands of dollars. Some of these residential placements can cost as much as \$100,000.00 a year.

It is the desire of the CPMT that the Board would see this as a community collaboration and hire a CSA Coordinator/Case Manager.

Mr. Elder answered some questions for the Board members.

Mr. Carter thanked Mr. Elder for his excellent presentation.

Mr. Elder next stated that he would like to thank the Board for considering their modest request for a budget increase. A new requirement that has been placed on Social Services is that when a Social Worker goes into the Court Room, they must be accompanied by an attorney. We will have to hire an attorney every time one of our Social Workers goes to court. Once again, this is without any additional funding from the State but is a requirement that has to be met. They have signed contracts with two (2) attorneys who have given them good deals but this is not included in their budget.

Ms. Ferguson explained that the Social Services Budget increase was approximately \$14,944.00 locally.

Mr. Carter thanked Mr. Elder for being present.

Ms. Ferguson stated that now that everyone has had time to review the Budget, she recommends that they review each departmental request and discuss any questions that anyone may have.

Mr. Conrad stated that there were several items in the proposed budget that he thought could possibly be reduced.

At 9:25 p.m. the Work Session was adjourned.


Samuel E. Carter, Chairman

On Monday, May 1, 2006, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center, located off Confederate Boulevard, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
Willie H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation. Mr. Carter then asked everyone present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter called for the **Setting of the Agenda:** There were no additions at this time.

Mr. Carter next called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one had any comments at this time.

Mr. Carter next called attention to the **ADMINISTRATIVE ITEMS:** (Items 1-6)

1. **Appointments to the Regional Jail Committee:** Two (2) members of the Board of Supervisors need to be appointed to serve on the regional jail committee as representatives of Appomattox County. This committee meets on the last Wednesday of each month at 9:30 a.m. At the present time the meetings are being held in the Amherst County Board of Supervisors meeting room. This can be rotated if you so desire. There will also be a meeting of the site selection committee as the need arises.

Mr. Thomas Conrad and Mr. Willie Craft were appointed to serve on the Regional Jail Committee to represent the County of Appomattox.

2. **Planning Commission Recommendations from the April 17, 2006 Public Hearing: CUP06004 – Kenneth and Robin Wolfskill:** The applicants are requesting a conditional use permit on property located on Poorhouse Creek Road (Route 639) between River Ridge Road (Route 627) and Morning Star Road (Route 632) for the purpose of locating a campground on the property. Subject properties are zoned Agricultural District, A-1 and are identified as Tax Map #79-A-14A and 79-A-14B, totaling 15.4 acres. If granted, it would become a Conditional Use in this zoning district and thus amend the County Zoning Ordinance (Section 170-25).

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Craft, to approve for reasons of public necessity, convenience, general welfare, and good zoning practice, to approve the following Conditional Use Permit request as recommended by the Planning Commission:

CUP06004 – Kenneth and Robin Wolfskill for a conditional use permit on property located on Poorhouse Creek Road (Route 639) between River Ridge Road (Route 627) and Morning Star Road (Route 632) for the purpose of locating a campground on said property subject to the following conditions:

- 1) The applicant will comply with all federal, state, and local laws concerning erosion and sediment control. Specifically, an erosion and sediment control plan shall be submitted to the County Administrator's office and approved prior to commencement of any business activity.
- 2) A 100' buffer will be maintained along the southern and western property lines. The existing natural wooded buffer shall remain undisturbed and any holes or thinning areas shall be filled with large evergreen trees a minimum of five (5) feet tall at the time of planting.
- 3) A 50' buffer will be maintained along the front of the property the entire distance except for the installation of a maximum two (2) standard entrances as approved by the Virginia Department of Transportation. This condition does not include the entrance for the home/office.
- 4) All exterior lighting fixtures shall be arranged, directed, and shielded downward so as not to reflect any glare outward towards adjoining streets or properties. At no point shall the glare from these lights exceed 0.5-foot candle power at the property lines.
- 5) This conditional use permit is limited to thirteen (13) campsites, corrals, the office, pavilion, bathhouse, and the horse ring as shown on the site plan submitted with the application. Future campsites shall be reviewed as an amendment to this conditional use permit.
- 6) Any recreational vehicle, trailer, or other campground visitor shall be limited to a maximum stay of 30 consecutive days. At no time shall any recreational vehicle, trailer, or other structure used of dwelling purposes be permanently established on the property. This condition does not include the dwelling/office of the owner/developer.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Burn Ban:** A burn ban was adopted effective March 21, 2006 and has been in effect since that date.

There was some discussion regarding whether or not the Forestry Department was in favor of lifting this burn ban. Ms. Ferguson stated that the Forestry Department did not think the burn ban was necessary and due to the fact that we have had sufficient rainfall, several of the surrounding localities have already lifted their ban, it is safe to lift this ban at this time.

Mr. Armbrust made a motion, seconded by Mr. Craft, to lift the County Burn Ban placed in effect on March 21, 2006 as of this date, May 1, 2006. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Appointment to the Central Virginia Community College Board:** An ad has been placed in the Times Virginian seeking applicants to serve on the CVCC Board. One application was received from Mr. Don F. Jimison.

Mr. Jimison is excited about being able to serve in this manner and feels that he brings a lot of experience, in the field of education, to the table.

Mr. Craft made a motion, seconded by Mr. Conrad, to appoint Mr. Don Jimison to the Central Virginia Community College Board for a term of 4 years beginning July 1, 2006. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Request for Use of Courthouse Square & Courtland Field:** The American Legion Post No. 104 is requesting the use of Courthouse Square and Courtland Field on May 28, 2006 for the purpose of holding a special ceremony dedicating the Wall of Honor and their annual Memorial Day Ceremony. They would also like to use the old courthouse porch for their podium.

Due to the size of this proposed event, it was suggested that the American Legion provide proof of insurance, prior to holding this event on May 28, 2006.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the American Legion Post 104 the use of Courthouse Square and Courtland Field on May 28, 2006 providing they furnish the County with a Certificate of Insurance. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Revised Budget Schedule:** The Board needs to adopt a revised schedule for approving the budget. We also need to schedule another work session as soon as possible so that we can advertise the date for the public hearing.

Mr. Carter suggested that the work session be held on Wednesday, May 3, 2006 at 6:30 p.m. in the old Juvenile & Domestic Relations Courtroom.

Ms. Ferguson suggested the Public Hearing for the FY 07 Proposed Budget be held on May 22, 2006 at 6:00 p.m. at the Community Center.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 7 – 19)

7. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

8. **Board of Supervisors:** Please appropriate by consent and supplement \$799.60 to telephone repairs in the Board of Supervisors budget to pay bills for the month of April 2006.

9. **Electoral Board:** Please appropriate by consent and supplement \$3,600.00 to professional services in the Electoral Board budget due to a Primary Election being held.
10. **General District Court Clerk's Office:** Please appropriate by consent and supplement \$100.00 to the General District Court Clerk's Office budget to pay for lease agreement for copy machine and fax machine.
11. **Commonwealth's Attorney:** Please appropriate by consent and supplement \$8,853.00 to the Commonwealth's Attorney budget for equipment approved by the Compensation Board.
12. **Sheriff's Department:** Please appropriate by consent and supplement \$680.96 to the Sheriff's budget for providing security at Express Lane for February, March and April.
13. **Sheriff's Department:** Please appropriate by consent and supplement \$2,000.00 to the Triad line in the Sheriff's budget for a donation received.
14. **Sheriff's Department (DMV Grant):** Please appropriate by consent and supplement \$12,000.00 to the Sheriff's DMV Grant budget for grant received.
15. **General Properties:** Please appropriate by consent and supplement \$725.00 to General Property's budget for additional insurance on the Pamplin Fire House.
16. **Library:** Please appropriate by consent and supplement \$358.99 to the Library budget for fees collected.
17. **Economic Development:** Please appropriate by consent \$1,500.00 to the CDBG line in the budget. This money will be reimbursed to the County.

LINE ITEM TRANSFER:

18. **Library:** Please transfer by consent \$1,200.00 from part-time salaries to equipment in the Library budget.

FUND TRANSFER:

19. **Sports Complex Fund:** Please transfer by consent and supplement \$915.00 from the Sports Complex Fund to pay bills at the community park for the month of April 2006.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:**

20. **Town of Appomattox:** Agenda for Town Council meeting held on April 25, 2006.

20. **Supervisor Concerns:**

Mr. Conrad had a question regarding having VDOT repair/improve a road. Who is responsible for contacting VDOT.

Ms. Ferguson stated that this would probably have to be taken into consideration at the meeting/public hearings for the Six-Year Plan and Secondary Road Construction Plan. If this is repairing things such as pot-holes, etc. then they should contact VDOT.

Mr. Carter asked Mr. Overstreet about the new alarm that Bedford County has recently installed. Is this in connection with Homeland Security? Will this be a mandated thing?

UPCOMING MEETINGS

May 3, 2006

6:30 p.m.

Juvenile & Domestic Relations Courtroom

**Meet with any Department Head & Organization that wished to
Speak with the Board about their budget request.**

Finalize Budget

May 15, 2006

6:30 p.m.

Community Center

Regular Scheduled meeting

May 22, 2006

6:00 p.m.

Community Center

Public Hearing on Proposed FY07 Budget

May 30, 2006

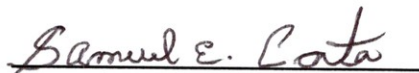
6:00 p.m.

Community Center

Adopt FY2007 Budget

Joint Meeting with Town of Appomattox

Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Wednesday, May 3, 2006 at 6:30 p.m. the Appomattox County Board of Supervisors held a Budget Work Session in the old Juvenile & Domestic Relations Courtroom, Upper Level of the County Administration Building located at 175 Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT: Aileen T. Ferguson, County Administrator

At 6:30 p.m. Mr. Carter called the work session to order and welcomed everyone present and gave the invocation.

Mr. Carter welcomed the Animal Welfare Action Group (AWAG) and asked Ms. Magda Liska, President to address the Board. Ms. Liska stated they really wanted the chance to let you know about some of the animals that come into AWAG. When owners do not have time to devote to these animals, some choose to surrender them to the County or to AWAG. Those that are not, end up becoming a nuisance to the community. The average stay in foster care is approximately two (2) months – they are fixed, vaccinated, treated for whatever illnesses they may have and cleaned up and cared for.

Some of the things they would like to present to the Board are:

1. Increase licensing fees \$5.00 for altered animals;
and \$8 to \$10 for unaltered animals.
2. Enforcement – some counties do door-to-door with part-time help to gather information on animals.
- other counties use mail to get this information.

As of July 1, 2006 the State mandated that veterinarians send copies of vaccination certificates to the County Treasurer's Office.

3. Hire additional Animal Control Warden Officer – the increased licensing fees should provide revenue for this position.
4. This additional personnel could also return calls from the Animal Control Officer.
5. Provide public awareness of low cost spay and neuter services.

Ms. Diane Miller, Treasurer of AWAG, provided a handout of the number of animals they worked with in 2005. They did have a grant for spay and neuter to help those who were unable to bear the cost of these services. They also have a container at Triangle Plaza for aluminum cans and over 1700 pounds of cans were kept out of the landfill because of this recycling effort by AWAG. When the County stopped taking cats at the animal pound in 2005, AWAG stepped up and spent over \$5,000.00 vetting, fixing and cat food. They also provide transportation for puppies to be sent to New York State for adoption. They hold these puppies for about two (2) weeks for worming and giving shots. They volunteer to transport these animals at their expense. The revenue for adoption fees was about \$6,200.00. Current adoption fees are \$75.00 for dogs and \$45.00 for cats.

AWAG is always doing fund raising activities.

They need building or space for office and storage. They are requesting a \$3,000.00 donation from the County for the FY2007 budget.

Mr. Carter thanked Ms. Liska and Ms. Miller for their informative presentation.

Ms. Ferguson stated that all of the adjustments have been made to the budget. Raising Personal Property from \$3.50 per \$100 value to \$4.50 per \$100 value, Machinery and Tools Tax, we still ended up being \$470,324.00 short. She checked with Ms. Belter to see if we could take one half million dollars from surplus. Ms. Belter felt confident that this could be done and she would provide these figures on Thursday.

Ms. Ferguson stated she had planned to take \$300,000.00 out of the E-911 fund to help with the budget. After talking with Mr. Wingfield, they decided to take \$500,000.00. This will cover his budget. Next year we won't have the re-assessment and the additional monies going out for access road. We will be preparing the landfill to go into the new cell and we can cut that money in half. She is talking about 1/2 million dollars on the landfill gases project and the money for the CVCC project – just the initial four (4) rooms. In order to get the budget public hearing advertised, these adjustments need to be done tonight. If we adopt this budget without the State figures coming in, it will be with the understanding that if the State figures are different, especially with the School, we may have to do some amending on the budget. Hopefully, the State budget will be approved before then.

There was some discussion about increasing the Personal Property to \$4.60 as opposed to raising the Real Estate Tax. Personal Property will affect most everyone not just the property owners.

The Board by consensus unanimously agreed to set the Personal Property at \$4.60 per \$100 value. Merchants Tax at \$1.00 per \$100 value and Real Estate at \$0.72 per \$100 value.

Also, increase AWAG to \$750.00.

At 7:37 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, May 15, 2006 at 6:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox County Community Center located off Confederate Boulevard, to receive comments on the adoption of the proposed Region 2000 Regional Commission Multi-Jurisdictional Hazard Mitigation Plan for Appomattox County.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
Bobby Wingfield – E-911 Coordinator

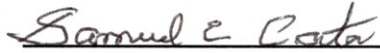
Mr. Carter explained that the Region 2000 Regional Commission Multi-Jurisdictional Hazard Mitigation Plan identifies and describes natural hazards that impact the region and offers mitigation measures to reduce the impact of these hazards on the region. Citizens will have the opportunity to comment on the draft plan at this meeting. Also, the division for the Virginia Region 2000 Partnership Local Government Council Hazards Mitigation Plan is to lessen the impacts from natural and manmade hazards, prepare the region to respond to future events and encourage regional cooperation by pursuing funding and promoting litigation actions focusing on structural projects, education, information and data development and policy and planning.

Mr. Carter asked if anyone wished to speak on this plan.

Mr. Bobby Wingfield, presented a brief overview of the Plan. This started because of hurricane Isabel and President Clinton signed into the law the Disaster Mitigation Acts of 2000. President Clinton wanted the communities to step and try to increase disaster plans before the disaster occurs to lessen the impact. The Virginia Department of Emergency Management and FEMA have already approved the plan and now it is up to the local jurisdictions to adopt these plans.

After a brief question and answer session, Mr. Carter asked if there were any questions or comments from the public.

Hearing none, at 6:15 p.m., Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Monday, May 15, 2006 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center, located on Confederate Boulevard, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
Bobby Wingfield – Emergency 911 Coordinator

At 6:32 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

There was some discussion as to the placement of the American Flag.

Mr. Carter next called for the **Setting of the Agenda:** Two (2) items added:

4-A – Courthouse Portraits

4-B - Resolution – Hazard Mitigation Plan

Mr. Carter stated the next item on the agenda was the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There were no Citizen Comments at this time.

Mr. Carter then called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 4)

- 1. Proposed County Code and Fee Schedule Changes:** There are several proposed code and fee schedule changes to various County Ordinances. Prior to adoption, a public hearing must be held on the proposed changes. You may wish to hold this public hearing on June 5, 2006 at 6:00 p.m., prior to the regular meeting.

Ms. Ferguson stated that after talking with Mr. Roark, the County Planner and Mr. Overstreet, the County Attorney, they would like to schedule this public hearing for June 19, 2006 at 6:00 p.m. at the Appomattox Community Center. A notice of the public hearing along with the proposed changes to the County Ordinances will be published in the local newspaper and also a copy will be available for review at the County Administration Office.

Mr. Conrad made a motion, seconded by Mr. Craft, to hold a public hearing on June 19, 2006 at 6:00 p.m. to receive comments on the proposed changes to the fee schedule and to various County Ordinances. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Recycling Program for the Landfill:** Ms. Rockefeller will meet with you to explain a new type of recycling that she feels will help the County get rid of unwanted clothing.

Mrs. Rockefeller gave a report on recycling. She stated that after striving for six (6) years, the landfill has met the State mandated 25% recycle rate. The General Assembly also passed legislation effective July 1, 2006, that we will qualify if we meet a 15% recycle rate because of our rural area. However, we will strive to reach a higher rate. The newest thing is Textile Recycling. She has been in touch with Green Earth Recycling of Virginia, LLC for the recycling of clothing. This company provides you with the necessary containers. The number one (1) thing is that there is no cost to the County whatsoever. They provide the containers, the dumping of the containers and if the containers become contaminated, they handle all of this and they place the containers wherever we wish them to be placed. She has done some research on this program before presenting this to the Board, but would like to if everyone feels the same way she does before spending any more time on this program. Bedford County uses this program. It is not aimed at taking away from the thrift stores in the area. It is primarily aimed for those unusable clothing that would be placed in the dumpsters. Ms. Rockefeller is suggesting that we take this program on a trial basis by placing containers at two or three dumpster sites.

There were some questions regarding some of the recycling that is done at the landfill for cans, etc.

The Board by consensus approved for Ms. Rockefeller to proceed with participate in this program on a trail basis.

3. **Application for Fireworks Permit:** The Historic Appomattox Railroad Festival is requesting a fireworks permit for October 14, 2006 to hold their annual fireworks display at the Appomattox County Industrial Park.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve the Fireworks Permit for the Historic Appomattox Railroad Festival to hold their annual fireworks display on October 14, 2006 at the Appomattox Industrial Park. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter called for a short recess prior to conducting the Public Hearing at 7:00 p.m.

At 7:12 p.m. Mr. Carter re-convened the regular Board meeting.

4. **Memorandum of Understanding with Amherst County:** Memorandum of Understanding between the Appomattox County Board of Supervisors and

Amherst County Board of Supervisors to assist in outlining responsibilities with the regional jail project.

Ms. Ferguson stated that Mr. Overstreet had re-worked the Memorandum of Understanding. There is one typographic error under Section 3 – Authority to County Administrator: figure amount should read \$100,000.00.

Mr. Conrad commented on some of the items that were discussed at the last meeting of Regional Jail Committee. Mr. Conrad and Mr. Craft both serve on this committee and they will continue to keep the Board updated on things as they progress.

Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the Memorandum of Understanding with Amherst County regarding the regional jail project.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this 15th day of May, 2006 between Amherst County and Appomattox County, each political subdivisions of the Commonwealth of Virginia. (Collectively referred to as "Counties").

WHEREAS, the 2006 General Assembly included language in the Appropriations Act exempting these two counties from the moratorium language prohibiting counties and cities from requesting state funding for the construction of regional jails; and

WHEREAS, the adoption of this language means that the counties are eligible, subject to approval by the Board of Corrections of the need for the regional jail, for 50% reimbursement by the State for the cost of constructing a regional jail, with the funding by the Compensation Board of Staff for such a regional jail; and

WHEREAS, the counties feel there is a need for a regional jail, and are willing to pursue the steps necessary to be in a position to submit an application to the Board of Corrections for funding.

NOW, THEREFORE, it is agreed by the parties as follows:

1. Community Based Corrections Plan and Planning Study.

The two counties agree to explore the feasibility of building a regional jail to serve them. In order to do this, Counties agree to prepare a Community Based Corrections Plan and Planning Study. The purpose of the Community Based Corrections Plan is to evaluate the current need for a new regional jail serving the two counties, and to forecast growth in jail population over the next decade. The purpose of the Planning Study is to take the forecast from the Community Based Corrections Plan and create a preliminary design and cost estimate of the regional jail. Both of these studies are required by the Board of Corrections in order to receive the 50% funding of a new jail. The counties agree the studies should focus on a site for the regional jail in Amherst

County, since it has the most central location, but should also look at the need for holding cells in Appomattox.

2. Preliminary Costs:

In order to pay for the Community Based Corrections Plan and the Planning Study, as well as to secure a legal advisor and financial advisor for the project, the counties agree to an initial budget of One Hundred Thousand Dollars (\$100,000.00). The counties shall share the actual costs of such services up to that amount on the basis of the population of the two counties based on the 2000 U. S. Census. Amherst County agrees to be the procurement agent for all contracts, and shall bill the other county for its respective portion of the costs when necessary.

3. Authority to County Administrators:

The county administrators are authorized by their respective boards to make decisions on behalf of their county as to all contracts relative to the project, as long as the One Hundred Thousand Dollars (\$100,000.00) budget is not exceeded. No contracts shall be entered into or obligations made for payment for services without consent of both county administrators in writing.

4. Submission of Report to Board:

The county administrators shall prepare a report for the Boards of Supervisors including the Community Based Corrections Plan, the Planning Study, a preliminary financing plan and a preliminary operational plan for a regional jail serving the two counties, including the option of contracting with another regional jail authority, such as the Blue Ridge Regional Jail Authority, to operate the regional jail.

5. Effect of Memorandum of Understanding:

Nothing in this Memorandum of Understanding shall bind either of the Boards of Supervisors to any obligation beyond those set forth herein, and either of the counties can decide not to proceed with the project following the submission of the report.

WHEREFORE, the parties evidence their agreement to enter into this Memorandum of Understanding by their duly authorized signatures below.

AMHERST COUNTY

BY: _____
David Proffitt
Interim County Administrator

APPOMATTOX COUNTY

BY: _____

Aileen T. Ferguson
County Administrator

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4A. Courthouse Portraits: Ms. Ferguson stated that when we moved into the new Courthouse, the portraits that had been on display in the old Courtroom were left in the old abandoned building. They have been there ever since that time. She wrote Judge Blanton a letter explaining that now that the bugs had been worked out of the new building and things were moving along very well, we would begin to hang these portraits along the corridor walls in the new Courthouse as discussed previously. He has informed Ms. Ferguson that we need to provide him with a listing of the various portraits and where we hoped to hang them. He would then present them to Circuit Court Judges for approval. Ms. Ferguson will be working with Ms. Williams, Clerk to the Circuit Court regarding a listing of the portraits, the position that they held and presenting to Judge Blanton a list of where they feel various portraits should be placed. We will be awaiting his approval before we proceed with the actual hanging of these portraits.

Previously, we had a policy that the portraits of Commissioners and Judges would be placed in the office or courtroom in which the individual served. Obviously, this is no longer in effect. Ms. Ferguson feels that if these portraits are not going to be placed in the new courthouse building, that they should be offered back to the family members or individuals who originally donated the portraits.

4B. Proposed Region 2000 Hazard Mitigation Plan: Having held a public hearing on this plan, the Board needs to adopt this Hazard Mitigation Plan.

After a brief discussion, Mr. Armbrust made a motion, seconded by Mr. Moore to adopt the following:

RESOLUTION**Adoption of the Region 2000
All Hazards Mitigation Plan/Floor Mitigation Assistance Plan**

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance, and

WHEREAS, the Region 2000 Steering Committee representing Appomattox County, as well as the remaining 10 localities of the Region 2000 Regional Commission was convened in order to study the Region's risks from and vulnerability to natural hazards,

and to make recommendations on mitigating the effects of such hazards on the Region;
and;

WHEREAS, the Steering Committee was provided staff support by the Region 2000 Regional Commission; and

WHEREAS, the efforts of the Steering Committee, the staff of the Region 2000 Regional Commission and Virginia Tech's Center for Geospatial Technology as well as members of the public, private and nonprofit sectors, have resulted in the development of a Natural Hazards Mitigation Plan and Flood Mitigation Plan for the Region.

NOW THEREFORE, BE IT RESOLVED by the Appomattox County Boards of Supervisors that the Region 2000 All Hazards Mitigation Plan and Flood Mitigation Plan dated May 15, 2006 is hereby approved and adopted for the County of Appomattox.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:** (Items 5 – 14)

5. Approval of Minutes: Please approve minutes of the following:

Special Called Budget Work Session – 4/12/2006

Regular Meeting – 4/17/2006

Public Hearing – 4/17/2006

Budget Work Session – 4/26/2006

6. Approval of Bills: Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

- 7. Board of Supervisors:** Please appropriate by consent and supplement \$25.00 to telephone repairs under the Board to pay Lonnie Reynolds for installing several fax lines in the Courthouse.
- 8. County Administration:** Please appropriate by consent and supplement \$3,491.80 to the telephone line in the County Administration budget to pay phone bills for April, 2006.
- 9. Court Services Unit:** Please appropriate by consent and supplement \$7,685.00 to the Court Services Unit budget to pay for juvenile detention.
- 10. Sheriff's Department:** Please appropriate by consent and supplement \$390.85 to the Sheriff's budget to pay for reimbursement received from the schools for officers working athletic events.
- 11. Comprehensive Service Act:** Please appropriate by consent and supplement \$47,711.00 to Comprehensive Services budget to pay bills for the month of April 2006.

Also information received on Capitol Contact Alert concerning reimbursement for this program.

- 12. Appomattox County Public Schools:** Please appropriate by consent and supplement \$15,199.00 to the school budget for funds received from Special Education Foster Care.

Please appropriate by consent and supplement \$24,538.91 to the school budget for interest received from the Elementary School Bond.

Please appropriate by consent and supplement \$20,769.30 to the school budget for funds received from 21st Century Learning Grant.

Please appropriate by consent and supplement \$278.13 to the school budget as reimbursement from retirees for dental insurance.

Please appropriate by consent and supplement \$4,994.79 to the school budget for funds received from Virginia Department of Medical Assistance Medicaid Reimbursement.

Please appropriate by consent and supplement \$3,623.81 to the school budget for funds received from United Way of Central for Spot and Dot, the Book Buses.

Please appropriate by consent and supplement \$1,261.16 to the school budget for funds received from Hope Community Services, Inc. as Reimbursement for Head Start Transportation.

Please appropriate by consent and supplement \$3,650.00 to the school budget for funds received from Tech Prep Grant – CVCC.

- 13. Economic Development:** Please appropriate by consent and supplement \$4,042.00 to the Community Development Block Grant line in the budget to pay architect fees for April 2006.

LINE ITEM TRANSFER:

- 14. Maintenance Department:** Please transfer by consent \$1,912.00 from operating reserve to the Maintenance budget to pay for elevator repair in the new courthouse.

There was some discussion regarding Item 14 – Elevator Repairs. Ms. Ferguson stated that the warranty on the elevator had expired since it is been over one year since it was installed.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:** (Items 15 – 19)

- 15. Robert E. Lee Soil & Water Conservation District:** Copy of the minutes of the Board of Directors meeting held on March 23, 2006.

16. **Appomattox County Public Schools:** Financial Report for April 2006.
17. **Holiday Lake 4-H Education Center:** Spring 2006 bulletin on activities at the Holiday Lake 4-H Educational Center.
18. **Certifications for Lonnie Hamlett:** Lonnie has completed and passed the Virginia Fire Marshall Academy, Inspector 1031 course and also, the Certified Inspector Examination-Level 1 for inspection of Amusement rides. Lonnie is a real asset to the County and has taken on his job with enthusiasm.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad stated he had questioned previously that when Lynchburg Ready Mix vacated the property on Route 460 West they would take down the silo and also the building on this property. We had the business across the road remove his old junked vehicles and he feels we still need to push to have this property cleaned up.

Ms. Ferguson asked that John Spencer address this issue as he has had several conversations with Lynchburg Ready Mix on this subject.

Mr. Spencer stated he has talked with them several time regarding this site. He had been informed by Mr. O'Brien that the property would be cleaned up and will be marketed. Basically, in his words, the building would be left as is and everything else would be cleaned up. He wanted things to look as good as possible in order to market this property. The one tower that had been laying out there for quite a while has been erected at the new property site.

Mr. Armbrust asked if they could be held accountable for what was said in the initial conversations.

Mr. Overstreet stated this would have to be in the action of the Board when you approve a Conditional Use Permit. When you take action on a petition, it is usually based on the Planning Commission's recommendation. The Planning Commission usually has a list of items that they require and we should, in the future, be sure that any concerns be placed in the original recommendation. If not, it should be included in the Board's motion and added to the Planning Commission's recommendation.

Mr. Spencer continued to report on his last discussion with Mr. O'Brien.

Mr. Conrad also expressed a need for a Rescue Squad in Pamplin. This is something we really need to look into.

Mr. Armbrust commented on the ball fields at the Community Park. He originally questioned the need for this but after seeing the children enjoying this facility he is very please with the results.

Mr. Craft reported on the Rails to Trails committee. This runs from Burkeville to Pamplin. It appears that the High Bridge Section will be completed first. All the papers are about ready to be signed.

Mr. Carter stated that something needs to be done with the Old Courthouse Building. We need to be thinking about what needs to be done and the ways and means of getting this done.

Mr. Carter then reminded everyone of the **Upcoming Meetings:**

May 22, 2006
Public Hearing on the Budget
6:00 p.m.
Community Center

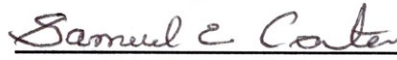
May 30, 2006
Joint Meeting with Appomattox Town Council
6:00 p.m.
Community Center

June 5, 2006
Regular Scheduled Meeting
6:00 p.m.
Community Center

Mr. Carter announced that the American Legion Post 104 has invited all members of the Board to participate in the Memorial Day Celebration. This event will be held on May 28, 2006 at 2:00 p.m. in the Courthouse Square. They would like have a two (2) minute speech from the Board and need a head count of who will be attending. Please let Ms. Ferguson know after tonight's meeting if you will be in attendance.

Mr. Carter will present the two (2) minute speech.

At 7:42 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn.
 VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Monday, May 15, 2006 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint Public Hearing at 7:00 p.m. at the Appomattox County Community Center located off Confederate Boulevard, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien
Calvin Tanner
Al Sears
George Almond
Shannon Dews
Marvin Mitchell
Barry Morris
Bryan Baine

ABSENT: (Planning Commission)

Steve Conner
Robert Johnson

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Johnnie Roark.

Mr. Roark read the first petition:

CUP06005 – Michael Wirth, Swan Road (Route 600): The applicant is requesting a Conditional Use Permit to local a kennel on property located on Swan Road (Route 600) between Park Street (Route 1109) and Pamplin Road (Business 460) in Pamplin. Property is zoned A-1, Agricultural District in the County and V-1 Village Center District in the Pamplin Town Limits and contains approximately 11.937 acres. Tax Map #111(A)1-(A)-6.

Mr. Roark asked is anyone wished to speak in favor of this request.

Mr. Mike Wirth of 242 Swan Road, Pamplin, Va. - Mr. Wirth stated he would like to breed dogs and have a permit to board dogs. There is not too much demand at the present time for boarding dogs, but he would like to have this service in place if the occasion arises. He is trying to keep everything nice looking and is trying to keep everyone in the neighborhood happy. He has agreed to build a privacy fence on the side next to Mr. Wingfield and the back corner nearest the Fire Department. He is willing to address any concerns anyone has regarding this request.

Ms. Kathy Munsey of Route 1, Box 6, Pamplin, Va. - She has spoken with Mr. Wirth and supports his proposal and feels certain that if problems occur in the future, he will address them. What he has proposed looks good to her. She feels he will be a good neighbor.

Mr. Roark asked if there were any further comments. Hearing none, he read the next petition.

Mr. Roark read the next petition:

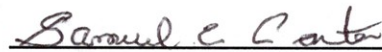
CUP06006 – Terry and Kim Wright, Richmond Highway (Route 460): The applicants are requesting a Conditional Use Permit for property located on Richmond Highway (Route 460) on the west side of the intersection of Matthews Road (Route 1045) in order to operate a Trailer Sales lot featuring horse, car and utility trailers on said property. Property is zoned M-1, Industrial District and contains approximately 1.54 acres. Tax Map #63-A-63.

Mr. Roark asked if anyone wished to speak in favor of this petition.

There was no one present to speak either in favor of or in opposition of this proposal.

Mr. Roark turned the meeting back to Mr. Carter.

At 7:10 p.m. Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

On Monday, May 22, 2006 at 6:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing on the Proposed FY2007 Budget at the Appomattox County Community Center located on Park Lane, Appomattox, VA.

PRSENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator

At 6:00 p.m. Mr. Carter called the meeting to order and gave the invocation. Mr. Carter welcomed everyone present and asked anyone who wished to speak to please approach the microphone and state their name and address for the record.

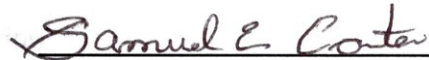
Mr. Bobby Waddell, Falling River District, representing the School Board: Mr. Waddell first thanked the Board for allowing everyone the chance to express their concerns and thoughts on the proposed budget. Mr. Waddell stated that according to the Standards & Poors Report put out on a website by the Federal Education Board, comparing schools in every state, the observation was that when Appomattox Schools are compared to the State as a whole, our students reading and math efficiency was well below the average cost per student. This demonstrates the commitment and dedication of our teachers and school personnel. More and more demands are placed on school each year as well as on the County Government each year. Funding is important for the schools to provide such services as the Gifted Program, Alternative Education, Music, Art, etc.

Mr. Waddell thanked the Board for working with them in providing our students with the best education possible.

Dr. Walter Krug, School Superintendent: Dr. Krug stated he, too appreciated the Board working with the School Board on various issues and realizes that the Board is in a very difficult position. He wanted to mention that when the Board receives the final school budget there may be a different dollar figure than first anticipated. This is due to the fact that they have received grants, that do not require local match, probably in excess of \$200,000.00. These monies will be included in the school budget that you will receive, but the funding the County provides will not change. The total amount of the budget will be larger than previously established – no new local funding is required. Dr. Krug thanked the Board and stated he hoped they could continue to work together.

Mr. Carter asked if anyone else wished to speak.

At 6:20 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Tuesday, May 30, 2006 the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at 6:00 p.m. at the Appomattox County Community Center located on Community Lane in Appomattox, Va.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

PRESENT (Town Council):

Ronnie Spiggle, Mayor
 Marvin Mitchell
 Lewis McDearmon
 John Wilson
 Norman (Jimmy) Mayberry
 Joyce Bennett

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
 John K. Spencer, Jr. - Assistant County Administrator
 Johnnie Roark - County Planner
 John G. Overstreet – County Attorney
 David Garrett, Jr. – Town Manager
 Roxanne Mundy – Town Clerk
 Frank Wright – Town Attorney

Thirteen (13) members of the public were also present.

At 6:00 p.m. Mr. Carter and Mr. Spiggle called their respective members to order. Mr. Carter asked Mr. Spiggle to give the invocation, after which everyone was asked to join in the Pledge of Allegiance to the American Flag.

Mr. Spiggle stated the purpose of the meeting was to receive an update on the Water System Analysis to serve the Concord and Appomattox areas and to allow the members of the two (2) local governing bodies, Appomattox Town Council and the Appomattox County Board of Supervisors, to jointly discuss any related questions or concerns regarding the construction cost estimates for providing adequate water supply, fire flow, and water storage for the area. This meeting will also provide an opportunity for the

elected officials to interject any thoughts they may have regarding the water system analysis presented and to further discuss the next steps, if any, in the process of obtaining an alternate water source. He then introduced Mr. Larado Robinson, of Draper Aden, Associates.

Mr. Robinson presented a Power Point Presentation. Mr. Robinson stated that the County and Town are looking to work with the Campbell County Utility Services Authority to provide for sending water from their system to the County and Town of Appomattox. There are different alternatives to be looked at and ways to deliver water from the CCUSA Water System to Appomattox. Mr. Robinson pointed out the different water lines and in order to serve the region CCUSA has in its plans to start with a plan to actually serve the area of Concord and what it would take to also serve the Town of Appomattox. We would need a fourteen (14) inch water line to run from Rustburg to Concord and also would need a 365,000 gallon water storage tank just to serve Concord. In essence, what we are looking at is what is needed for Concord and what additional needs are required for Appomattox. The first thing that would be needed to deliver water to Appomattox would be a new pumping station located either in Concord or closer into Appomattox County. If water is supplied to Appomattox, a sixteen (16) inch water line would be needed. The reason for this is due to the means to assure that we have an adequate fire flow in the area. In fact, the sixteen (16) inch would extend somewhat out into Appomattox County and hopefully as time goes on, that area will become more developed and have light industry and there would be more network of lines.

Mr. Robinson stated that Wiley & Wilson had previously done a report on delivering water from Lynchburg to the Concord area. Looking at those numbers and working with other things from the Town and Appomattox County, they came up with what they felt was a legitimate number as to what growth they expected to have in the proposed area.

Mr. Robinson suggested that anyone having a question may wish to make them during the presentation.

Several members of the Board and Council asked questions as the presentation was being made involving current pricing, Stag Grant in the amount of \$700,000.00 and how the Fire Flow is a critical issue. Also the Town wells would have to be treated if we are going to mix with CCUSA.

After the completion of the power point presentation, Mr. Spiggle asked for discussion on what had been presented.

Mr. Carter stated he would like to integrate the two studies to see how we need to continue. There are still a lot of unanswered questions: Where is the money coming from? How are we going to pay it back?

Mr. Armbrust would like to look at all the options.

Mr. Spiggle hopes we don't end up like Charlotte Court House. From the Town's side, they need to know if the County wishes to continue with this endeavor or not. If not,

then the Town needs to look at alternative sources in planning for growth. Something needs to be done before there is a problem. The longer we wait the longer it will take to get something done. Growth will be determined by the availability of water and sewerage.

Mr. Wilson agreed that everyone is interested in a secure, adequate water supply. He is concerned about the increase of taxes to the citizens. Also, he is concerned about the drought season. Campbell County has about the same drought problems as does our County. He agrees with Mr. Carter regarding combining the two studies.

At 6:50 p.m. Town Council made a motion and seconded to adjourn.

At 7:00 p.m. Mr. Carter reconvened the Board of Supervisors.

Mr. Carter stated the first thing on the agenda was to adopt the Social Services Budget.

Ms. Ferguson stated that when this budget was presented at the original budget process, we were unable to understand any of the figures presented on the tape. However, we went in with some dummy figures and they were very close to the local money that is being requested now. We had to add \$1,350.00 of local monies to do the appropriate matches that are required by State and Federal Government, with the local share, of the Social Services budget is \$213,350.00 and the total is \$1,194,432.00. Their budget is on a different cycle for everyone else's. Their budget is actually effective June 1, so this needs to be approved tonight. We have received some notice from the Governor's Office that due to the fact the Social Service budget needs approval by June 1, he has appropriated funds from Emergency Appropriations to carry them through the month of June. Hopefully, by then the Legislature will have resolved the problems they are having with passing a State Budget.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adopt the Social Services Budget as stipulated. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the FY2007 Budget for the County of Appomattox, which encompasses Tax Rates; Setting a deadline for the first tax payment and Adopting the PPTRA Resolution.

Ms. Ferguson pointed out that after the public hearing when the School Board Chairman spoke and informed the Board that they had received notification that they would receive additional grant funding and she has adjusted the figures accordingly. There was no additional local monies. They recognize that their budget is reduced by \$250,000.00 local monies and they have made these changes in their budget and then added the additional grants and textbook appropriations, so we do not have to do an appropriation for the year coming up. The total of the changes is \$415,999.00. Ms. Ferguson has made an adjustment in the revenue and expenditures on this proposed budget. These changes are based on the Personal Property Tax Rate is being increased to \$4.60 per 100 dollars.

Mr. Carter asked if there was a motion to adopt the FY2007 Proposed Budget of \$32,571,734.00 and increase the Personal Property Tax Rate from \$3.50 to \$4.60 per 100 dollars of assessed value.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the FY2007 Proposed Budget of \$32,571,734.00 and to increase the Personal Property Tax Rate from \$3.50 to \$4.60 per 100 dollars assessed value. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter stated the need to set the deadline for the first Personal Property Tax and adopt the PPTRP resolution. It has been suggested that the deadline be set for June 25, 2006.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt the following Personal Property Tax Relief Program Resolution.

RESOLUTUION

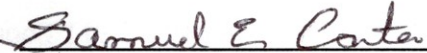
BE IT RESOLVED THAT in accordance with the requirements set forth in section 58.1-39524 (C) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 if the 2005 Acts of Assembly any qualifying vehicle sitused within the County commencing January 1, 2006, shall receive personal property tax relief in the following manner:

- Personal use vehicle at \$1,000 (assessed value of \$500) or less will be eligible for 100% tax relief;
- Personal use vehicles valued at \$1,001 to \$20,000 (assessed value of \$501 - \$10,000) will be eligible for 31.28%of tax relief;
- Personal use vehicles valued at \$20,001 (assessed value of \$10,001) or more shall only receive 31.28% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
- In accordance with item 503.D1, the entitlement to personal property tax relief to qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed "non-qualifying" for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 7:15 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Monday, June 5, 2006 at 6:00 p.m. the Appomattox County Board of Supervisors met with the County Planner to discuss proposed changes to Ordinance and Fee Schedules for the County of Appomattox.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:
 Aileen T. Ferguson – County Administrator
 John K. Spencer, Jr. – Assistant County Administrator
 Johnnie Roark – County Planner
 Alice Rockefeller – Landfill Supervisor
 Lonnie Hamlett – Building Official
 Barry Watkins – Maintenance Supervisor

At 6:00 p.m. Mr. Carter called the meeting to order and stated that if anyone had questions concerning these proposed changes, please feel free to do so.

Mr. Carter then turned the meeting to Mr. Roark, County Planner.

Mr. Roark began with going over some background information on each of the proposed changes.

BIOSOLIDS MONITORING ORDINANCE:

- The Health Department will allow localities to recoup the cost of monitoring the land application of biosolids so long as the locality has adopted a local ordinance stating such. This ordinance lays out the framework for monitoring the land application of biosolids and then what procedure shall be followed for reimbursement.

Mr. Roark discussed briefly the Biosolids Ordinance. One thing he wanted to point out was our ordinance will require will sign be posted from all right-of-ways. If the property is a corner lot, having a right-of-way on two sides, then we will require two (2) signs be posted 14 days in advance of spreading biosolids. This ordinance will allow us to be reimbursed for our expenditures.

Mr. Craft wanted to know who would monitor the biosolids?

At the present time, Mr. Wingfield, E-911 Coordinator has taken on this responsibility.

Mr. Carter asked what type of biosolids would be covered by this ordinance A or B? As he understands it, Type A is inspected 100% whereas Type B is only inspected on a random sample. Type B is mostly what we in Appomattox County receive.

Mr. Roark stated all types of biosolids. We will have the ability to monitor any biosolids scheduled for spreading in Appomattox County. Presently inspecting is being done on a random basis but if time permitted, this would allow the monitor time to do more testing.

Ms. Ferguson stated that we may end up joining with someone else in hiring a monitor and there is some legislation afoot to try to force the Health Department to actually put monitors on their payroll rather than leaving it up to the localities. No one locality will recoup enough in fees to pay for a full time monitor. Mr. Wingfield has been taking on this responsibility as he had time to allow for this but once the E-911 Center is in operation, he will no longer have the time to take care of this.

The monitor will have 30 days after his inspection to file his report. If not filed within this 30 day period, it will become non-reimbursable. Reimbursement will be received by the County in approximately 50 days.

Mr. Roark next discussed the request from the Industrial Development Authority to change their name to Economic Development Authority.

INDUSTRIAL DEVELOPMENT AUTHORITY:

Title of Chapter 25 and Section 25-2:

- Change the name of the organization to Economic Development Authority. This amendment has been discussed by the IDA for a number of years and is intended to more clearly reflect the purpose of the organization.

Mr. Spencer stated that this was a follow up to the request made to the Board several months ago.

Mr. Roark next discussed the changes proposed for the Building Code.

BUILDING CODE:

- Amends Chapter 51 – Building Construction, Appomattox County Code to formally adopt the Uniform Statewide Building Code (2003) and the Statewide Fire Prevention Code (2003). This ordinance would also change the name of the department from Office of Building and Housing to Office of Building Inspections.

Mr. Hamlett feels this change would more accurately describe his department and there is some confusion with the Housing Assistance Office which is also located within our offices.

Mr. Roark then asked Ms. Rockefeller to review the changes to the Solid Waste Code.

SOLID WASTE CODE:

- Amends Chapter 139 - Solid Waste, Appomattox County Code to update language in the following sections:
 - Section 139-3 (A) add the words *bags of*
 - Section 139-4 (B) change twice to *once*
 - Section 139-4 (C) (2) change one hundred dollars (\$100.00) to *two hundred fifty dollars (\$250.00)*
 - Section 139-7 (A) (1) (b) amend to read: *Passenger, truck tires, farm tractor tires, and heavy equipment tires will be billed by the ton according to current Emanuel Tire charges*
 - Section 139-7 (F) change two (2) tons per month to *six (6) ton per year*

Ms. Rockefeller stated there are several reasons for the change to bags of household trash being left at the site, one of which is they have a constant battle with trying to stop losing trash out of the containers as they are being transported back to the landfill. About 50% of what is lost off the trucks is loose trash. She hopes this change will encourage citizens to put their trash in bags. She is also hoping this will eliminate the placing of large items such as appliances, mattresses, other objects of furniture into the trash container.

She also explained the other changes in the Code to reflect the charges that other surrounding counties are currently using. Hopefully, this will also encourage citizens to bring their bulk trash to the landfill instead of dumping it on the ground at the sites.

Mr. Conrad stated he feels that we need to advertise that if you have items too large for the containers, they can be brought to the landfill without any charges. He feels that if the citizens are aware that they will not be charged for these items, they would be more inclined to take these to the landfill and not the dumpster sites.

Mr. Roark then described what changes are proposed for the Animal Control Ordinance to bring it more in line with the State Code.

ANIMAL ORDINANCE:

- Amends Chapter 44 – Animals, Appomattox County Code to update license tax amounts and adds language concerning the adoption of dogs from the animal shelter.
 - Section 44-2(A) adds separate tax for spayed and neutered dogs (\$4.00) and increases the tax for all other dogs from \$4.00 to \$6.00.
 - Section 44-2 (C) adds tax for kennels of thirty (30) dogs (\$35.00)
 - Section 44-2 (D) adds tax for kennels of forty (40) dogs (\$45.00)
 - Section 44-2 (E) amends the tax for kennels of fifty (50) dogs (\$50.00)
 - Section 44-2 (G) adds requirements for the adoption of dogs

- Section 44-2 (H) amends the tax for claiming a licensed dog from \$1.00 per day to \$5.00 per day, deletes *not to exceed five dollars (\$5.00)*, amends tax for claiming an unlicensed dog from five dollars (\$5.00) for the first day to ten dollars (\$10.00) for the first day, and deletes *not to exceed ten dollars (\$10.00)*

Mr. Roark explained that from a Planning & Zoning standpoint that the Board has for years wanted staff to look at the fees we charge for services we provide and compare to what other localities charge for the same services. Over the last couple of years we have been complying this information and recently we went back to verify and update this information. Here we have given you a jumping off point. Whether you agree with some of these charges or not, the fees in Appomattox have not been adjusted in a very long time. We want to put the cost of zoning on the people who are doing the developing and not the average citizen. These figures do not recover the costs of the staff time but it does get close to it. The \$400.00 fee for re-zoning may at minimal cover the costs of staff time and advertising.

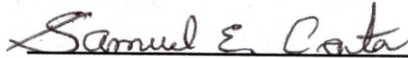
Mr. Carter asked if there was a lot of difference between Appomattox County and Campbell County?

Mr. Roark replied that the new fees would be almost identical to Campbell County's. There are a few lesser fees, such as zoning permit. Campbell County still does not charge for a zoning permit.

FEE SCHEDULE:

- A listing of various fees charged by the County for development services was presented to each Board Member. These fees from time to time should be reviewed to insure that the cost of development is not being paid for by the average citizen and that the developer is paying his "fair share". This schedule includes recommendations from the building official, landfill supervisor, E911 coordinator and the planning staff. These fee increases are simply meant to more closely align our fee structure with those of our neighboring counties and to reflect the cost of doing business.

At 6:32 p.m. Mr. Carter closed the meeting.


Samuel E. Carter, Chairman

On Monday, June 5, 2006 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:35 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda.**

There were three items to be added:

8A – Stage in Courtland Field

8B – Opening of Bids – Oakville School contents

8C – Change Order for Harmon Saunders and approval of final payment

Mr. Carter then called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Mr. Carter then introduced **Mr. Chris Conkwright:** Mr. Conkwright is addressing the Board to make a request concerning a proposed use for a portion of the old elementary school.

Mr. Conkwright presented everyone with a document containing the proposed uses for the old elementary school.

- Use the cafeteria for a new wrestling room
- Conversion will require very little if any changes to existing building – the room by chance is perfectly suited for a wrestling room
- There are no major plumbing, electrical or structural problems at all
- Any improvements can be done with volunteer labor from the wrestling club
- The room could be multifunctional – while primarily a wrestling room, it could also be used for such things as aerobic classes, tumbling, general PE activities, etc.
- Access to this area (gym included) does not in any way effect the rest of the building
- There is easy parking and pedestrian access to this area

- Mats are already available
- Area would also include a study hall class for students
- Future improvements could be done incrementally
- A new room would allow for unlimited growth of the wrestling program – currently the wrestling room being used is very small and inadequate, thus not as safe as we would want it
- Those rooms not being improved, such as those being used for storage, can easily be secured and still easily be used at the county's leisure
- This could be a win – win situation for the county, the recreation department and the schools and the children of Appomattox.

Mr. Conkwright described in detail from a floor layout just what parts of the building he was proposing for use. This area would not be used for matches or tournaments; it would basically be for practices only.

Ms. Ferguson stated she had a lot of questions regarding this request. She asked if Mr. Conkwright was representing the school in this matter.

Ms. Ferguson is also concerned about where the liability lies, if this is a school program, that is a liability the school would be responsible for. She needs to talk with Ms. Dixon about some of the things that have been brought up tonight.

Mr. Conkwright stated he had talked with the High School Principal and Mr. Hudson the Athletic Director about this suggestion.

After some discussion, Mr. Carter thanked Mr. Conkwright for his interest in seeking space for the youth of Appomattox.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 2 – 8)

2. **Appomattox County Farm Service Agency:** Appomattox County Farm Service Agency (FSA) which is housed in the same building with Natural Resources Conservation Services (NRCS) and R. E. Lee Soil and Water Conservation District has scheduled a Public Hearing to move the FSA office to Campbell County. If this happens the Service Center Concept would be broken and it may cause the NRCS and the R. E. Lee to locate elsewhere in the District. The District includes Appomattox County, Amherst County, Campbell County and the City of Lynchburg. This consolidation effort FSA intends will affect all farmers in the County that are required to report in any program to travel to the Campbell County FSA office. The public hearing is scheduled for June 7, 2006 at 6:30 p.m. at the Community Center.

Mr. Conrad gave a background on the FSA program office changes. Several years ago, all of the county offices were consolidated under a new plan from the Federal Government. It is his understanding that the Board of Supervisors may support the keeping of this office open as long as they can be of service to the farmers. He would not support the County becoming involved with financial assistance to keep these offices open.

It was the consensus of the Board to send a letter of support to have this office remain in Appomattox County for the benefit of our farmers.

Before this letter is written, Mr. Conrad will talk to the County Executive about this program.

- 3. CDBG PRE-Contract Documents:** The Virginia CDBG Program requires that a locality adopt four documents – Local Business & Employment Plan, Anti-displacement Plan, Non-Discrimination Policy, and Fair Housing Agreement – before a construction grant contract can be signed with that locality. All localities that submitted a CDBG grant application in March must adopt these documents by June 30, 2006. Grant decisions and award notification are expected in June.

Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following documents as required by the Virginia CDBG Program:

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE
PLAN
CERTIFICATION**

The *County of Appomattox* will replace all occupied and vacant occupiable low/moderate-income dwelling units or converted to a use other than as low/moderate-income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitating relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the *County of Appomattox* will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity.
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low-and moderate-income households in the jurisdiction.

The *County of Appomattox* will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The County of Appomattox FY2006-2007 project includes the following activities:

Renovation of the west wing of the Carver-Price Educational Complex on Confederate Boulevard, Appomattox, Virginia in order to facilitate its use as a workforce development and education center.

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The *County of Appomattox* will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

Signature of Authorized Official

Date

NON-DISCRIMINATION POLICY

The County of Appomattox or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following:

Employment, upgrading, demotion or transfer, rates of pay or forms of compensation;
and selection for training.

Signature of Chief Elected Official

FAIR HOUSING CERTIFICATION

Compliance with Title VIII of the Civil Rights Act of 1968

Whereas, the County of Appomattox has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further air housing;

Therefore, the County of Appomattox agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Signature of Authorized Official

Date

LOCAL BUSINESS AND EMPLOYMENT PLAN

1. The *Board of Supervisors of the County of Appomattox* designates as its Local Business and Employment Project Area the boundaries of Appomattox County.
2. The *Board of supervisors of the County of Appomattox*, its contractors, and designated third parties shall in utilizing Community Improvement Grant funds utilize businesses and lower income residents of the Project Area in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services of the project manager, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the Project Area are:
 - (a) The *Board of Supervisors of the County of Appomattox* shall Ascertain what work or procurements are likely to take place through the Community Improvement Grant Funds.
 - (b) The *Board of Supervisors of the County of Appomattox* shall Ascertain through various and appropriate sources including:
The Times-Virginian Newspaper
 The business concerns within the Project Area which are likely to provide materials, equipment and services which will be utilized in the activities funded through the Community Improvement Grant.
 - (c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts which utilize CIG funds.
 - (d) To the greatest extent feasible the identified business and any other Project area business concerns shall be utilized in activities which are funded with CIGs.

4. In the utilization of trainees or employees for activities funded through CIG's the *Board of Supervisors of the County of Appomattox* its contractors and designated third parties shall take the following steps to utilize lower income persons residing in the Project Area.
 - (a) *The Board of Supervisors of the County of Appomattox* in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project funded by CIGs.
 - (b) *The Board of Supervisors of the County of Appomattox* shall Advertise through the following sources
The Times-Virginian Newspaper
 the availability of such positions with the information on how to apply.
 - (c) *The Board of Supervisors of the County of Appomattox*, its contractors, and designated third parties shall be required to maintain a record on inquiries and application by project area residents who respond to advertisements, and shall maintain a record of the status of such inquires and applications.
 - (d) To the greatest extent feasible, the *Board of Supervisors of the County of Appomattox*, its contractors, and designated third parties shall utilize lower income project area residents in filling training and employment positions necessary for implementing activities funded by CIGs.
 5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the *Board of Supervisors of the County of Appomattox* shall keep, and require to be kept by contractors and designated third parties, listings of all persons employed and all procurements made through the implication of activities funded by CIGs. Such listings shall be completed and shall be verified by site visits and interviews, crosschecking of payroll reports and invoices, and through audits if necessary.
- VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **County Website:** Mr. Spencer has been working with Ferenc Varga on creating a County website. He would like to know what personal information you want put on the website. Do you want to put your home address and private telephone numbers put on this website?

Each of the Board members will provide this information to Mr. Spencer.

5. **Planning Commission Recommendation from the May 15, 2006 Public Hearing:** The Planning Commission has submitted its recommendation for **Petition #CUP06005 – Michael J. Wirth** from the May 15, 2006 Public Hearing.

CUP06005 – Michael J. Wirth: The applicant is requesting a conditional use permit on property located on Swan Road (Route 600) between Pamplin Road

(Business 460) and Park Street (Route 1109) for the purpose of placing a kennel on the property. The subject property is zoned Agricultural District, A-1 (County) and Village Center District, V-1 (Town) and is identified as Tax Map Number 111(A1-(A)-6. The majority of the property is located in Appomattox County with a portion lying within the corporate limits of the Town of Pamplin.

Planning Commission recommended by a vote of 8-0 that the above conditional use permit request be approved with the following conditions:

1. The applicant shall comply with all rules and regulations concerning commercial kennel operations in accordance with the Virginia Department of Agriculture and Consumer Services, Office of Veterinary Services.
2. A 25' buffer will be maintained along the southern property line (Wingfield). The buffer area shall contain a privacy fence (minimum 6' tall) in the area from the house/office to the play areas as designated on the concept plan submitted with the application.
3. A 25' buffer shall be maintained along the northern property line (Munsey) from the western corner near Swan Road for a distance of 100' east. This buffer area shall be filled with large evergreen trees a minimum of five (5) feet tall at the time of planting. The trees shall be planted every 20' feet on center and staggered.
4. All exterior lighting fixtures shall be arranged, directed, and shielded downward so as not to reflect any glare outward towards adjoining streets or properties. At no point shall the glare from these lights exceed 0.5 foot candle power at the property lines.
5. All outdoor runs, training areas, and pens associated with the kennel shall be set back a minimum of sixty (60) feet from any property line.

Mr. Carter asked Mr. Roark for comments from the Planning Commission. Also Pamplin Town Council has approved this petition and have added several conditions. These conditions only apply to this area that is in the Pamplin Town limits, about 1/10 of an acre or so that is in the front corner along Swan Road.

After a lengthy discussion, Mr. Armbrust made a motion, seconded by Mr. Craft, to table this issue until the County Attorney has reviewed these conditions. This item will be placed on the agenda for the June 19th meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Holiday Request:** Mrs. Belter, Treasurer and Barry Morris, Librarian, have requested that the Board of Supervisors close County Offices on Monday July 3rd in addition to Tuesday, July 4th, 2006

Mr. Craft stated the Board of Supervisors was scheduled to meet on Monday, July 3rd, 2006. He also stated that to open offices for one day and then shut them down again, would cost more in the long run.

Mr. Carter stated he agreed with Mr. Craft.

Mr. Conrad also agreed stating that the majority of the employees would more than likely take that Monday off as a vacation day leaving only a few employees working.

Mr. Armbrust made a motion, seconded by Mr. Craft, to close County Offices on Monday July 3rd as well as Tuesday, July 4th, 2006 in observance of the holidays. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 7:45 p.m. Mr. Carter called for a five (5) minute recess.

At 7:53 p.m. Mr. Carter reconvened the meeting and called for the next item on the agenda.

7. **Special Meeting with Town Council:** At the joint meeting with the Town Council the Board mentioned scheduling a work session for the Board to review and discuss the information presented at the joint meeting and also to schedule another meeting with Town Council.

Mr. Carter stated that 6:30 p.m. on June 12, 2006 had been suggested for this meeting. Do we want to have the workshop meeting at the same time. We would also invite the IDA members to meet with us at this time.

After some discussion it was agreed to hold this work session on Wednesday, June 14, 2006 at 6:30 p.m. in the old J & D Courtroom.

8. **Refund Request:** Lonny Hamlett is requesting that you approve a refund of \$317.79 to Robert and Gloria Weaver for an overpayment on a building permit.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve a refund of \$317.79 to Robert and Gloria Weaver for an overpayment on a building permit. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 8A. **Stage in Courtland Field:** Ms. Ferguson and Mr. Conrad have been approached by some citizens concerned about changes in insurance policies, that they will no longer be able to use the flatbed trailers as a stage for bands during Railroad Festival or for the Friday Cheers events. The request was made that the Board consider allowing this group to raise funds to have a concrete stage 16' x 24' x 4', erected in the corner where the flatbed trailers have been placed in the past. This would be a permanent structure.

Mr. Conrad has looked at the area in question, and does not feel this platform would interfere with any other activities Courtland is used for.

Ms. Ferguson commented that if it was decided in the future, we wanted to do away with this stage, it could easily be torn down.

The Board decided to have the citizen group stake out the area and place this on the agenda for the work session to be held on June 14, 2006.

8B. Bids Received for Oakville School Contents: Mr. Carter opened and read the bids for the contents of the Oakville School.

BIDS FOR CONTENTS OF OAKVILLE SCHOOL				
ITEMS BIDDED ON	B. SWANSON	R. FRANKLIN	E. GLOVER	L. MOORE
14 Globe Light Fixtures	\$ 60.00	\$	\$ 25.00	\$
2 Door Frames with Transoms w/doors	40.00			
Metal Sink	15.00	10.00		
Iron Bed Frame	10.00			
1 Small Door with France	10.00			
2 Turntable Cases	25.00		15.00	
Slate boards	10.00 each			
Wooden Desks & Chairs	5.00 each	10.00 all		
8 Window Frames with Rosettes	50.00			
All Metal Folding Chairs		30.00		
25 Stacking Chairs		15.00		

All Property Not Bidded on by Others

\$135.00

Ms. Ferguson will analysis the bids and notify the bidders as to the results.

8C. Change Order for Harmon Saunders & Approval of final payment:

Harman Saunders has submitted the request for final payment. The final inspection has been done by the Building Official. There is a change order deducting \$3,034.59 for an electric bill on the new building that should have been paid by Harman Saunders which accidentally got paid by the County. After this deduction the balance owed according to Harman Saunders is \$29,247.00. According to our records we owe them approximately \$417.13 more than they billed for. After talking to them, they asked that we pay the \$29,247.00 today and if they find there is error, they will let us know.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the change order and make a final payment to Harman Saunders in the amount of \$29,247.00. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:**

9. **Approval of Minutes:** Please approve minutes of Regular Meeting on 5-1-2006; Budget Work Session on 5-3-2006; Public Hearing on 5-15-2006 (Hazard Mitigation Plan); Public Hearing on 5-15-2006 (Planning Commission); Regular Meeting on 5-15-2006 and Public Hearing on 5-22-2006 (FY07 Budget).

10. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

11. **Commissioner of Revenue:** Please appropriate by consent and supplement \$2,750.00 to the Commissioner of Revenue's budget to cover upgrades to five computers.

12. **Circuit Court Clerk:** Please appropriate by consent and supplement \$830.00 to 2101-1007 in the Circuit Court budget to compensate jurors for their service to the County.

Please appropriate by consent and supplement \$5,459.00 to 2106-3005 in the Circuit Court budget to pay a maintenance service contract. This expense is reimbursed by the Compensation Board.

Please appropriate by consent and supplement \$508.00 to the equipment line in the Circuit Court Clerk's budget and \$362.00 to the furniture line in the Circuit Court Clerk's budget.

13. **Sheriff's Department:** Please appropriate by consent and supplement the following:
- | | | |
|--|----|-----------|
| 3102-1002 Regular Overtime | \$ | 501.63 |
| 3102-1002 Regular Overtime | | 117.15 |
| 3102-5408 Vehicle Power Equipment Supply | | 27.78 |
| 3102-5408 Vehicle Power Equipment Supply | | 22,000.00 |
| 3102-5503 Travel | | 248.34 |
| 3102-7001 Equipment | | 3,600.00 |
| 3102-7003 Communications | | 2,989.29 |

14. **Court Services Unit:** Please appropriate by consent and supplement \$7,395.00 to Court Services budget to pay for Juvenile Detention.

15. **Commonwealth Attorney:** Please appropriate by consent and supplement \$1,200.00 to the equipment line in the Commonwealth Attorney's budget. The Compensation Board will reimburse all by the stress factor to the County.

16. **CSA:** Please appropriate by consent and supplement \$12,354.72 to Comprehensive Services budget to pay bills for the month of May.

17. **Planning and Zoning:** Please appropriate by consent and supplement \$141.30 to the budget for planning and zoning for reimbursement received from the Town of Appomattox.

FUND TRANSFERS:

18. **Sports Complex Fund:** Please transfer and supplement by consent \$470.00 from the Sports Complex Fund to pay for a sign at the Community Park.

LINE ITEM TRANSFERS:

19. **Board of Supervisors:** Please approve by consent the following line item transfers:
- | | | |
|-----------------------------------|---------------|------------|
| 1101-5804 Operating Reserve | Delete | \$1,664.00 |
| 1101-3004 Repairs and Maintenance | Add | \$300.00 |
| 1201-5203 Telephones | Add | \$700.00 |
| 4302-3004 Professional Services | Add | \$664.00 |

20. **Landfill:** Please transfer by consent the following:
Delete: \$5,000.00 from 4204-3002 Professional Services

Add: \$5,000.00 to 4203-4308 Vehicle Power Equipment Supplies

21. Treasurer's Office: Please transfer by consent the following:

Delete: \$1,300.00 from 1213-3005

Add: \$180.00 to 1213-3007

Add: \$755.00 to 1213-3010

Add: \$275.00 to 1213-5501

Add: \$290.00 to 1213-5504

Delete: \$200.00 from 1213-5801

Delete: \$1,000.00 from 1213-5415

Delete: \$1,500.00 from 1213-5201

Add: \$1,000.00 to 1213-7002

Add: \$1,500.00 to 1213-5401

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as submitted. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter presented the **INFORMATIONAL ITEMS:**

22. Robert E. Lee Soil & Water Conservation District: Please find enclosed for your information a copy of the minutes of the Board of Directors meeting held on April 27, 2006.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad has received some calls regarding the speed limit on Pumping Station Road from people who think the speed limit should be lowered to 45 mph. He feels that with the amount of construction that is taking place in this area, we should contact VDOT and have them do a traffic study to determine if this lowered speed limit is warranted. The area in question is at the end of the 35 mph speed zone.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

June 14, 2006

6:30 p.m.

**Board of Supervisors Work Session
Old J & D. Courtroom**

June 19, 2006

**Regular Scheduled Meeting
Community Center**

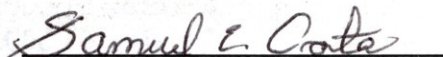
July 5, 2006

Regular Scheduled Meeting

Community Center

**July 17, 2006
Regular Scheduled Meeting
Community Center**

Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Wednesday, June 14, 2006 the Appomattox County Board of Supervisors and the Appomattox Industrial Development Authority held a work session at 6:30 p.m. in the Old J & D Courtroom located on the upper level of the County Administration Building.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT (Board of Supervisors);

Shawn A. Armbrust – Wreck Island District

PRESENT (IDA):

William Slagle, Chairman
Winfred Nash
James (Buddy) Conner
Walter Hancock
Cecil Wooldridge
Wayne Lewis
Laurie Harris

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner
Ronnie Spiggle, Mayor – Town of Appomattox

At 6:30 Mr. Carter called the meeting to order and gave the invocation. Mr. Carter welcomed every one present. He stated they would be discussing the Concord/Appomattox Water System.

Mr. Slagle stated the IDA strongly supports the concept of the waterline and there are good, sound technical/economic reasons for doing so. They also support the creation of a Public Service Authority as the implementing body to make sure that this happens. There are really good reasons for making provisions for that.

He will begin by going back a little but if he says something wrong or something that has changed in recent years, please jump in and tell him so. From the beginning we have tried to keep this a simple concept, as many of you know, there has been a lot of misinformation presented to the public and he may run the risk of repeating himself and things that everyone already knows. Just bear with him a minute. We all know that Appomattox and the town represents a circle and Route 460 pretty much goes through the Town of Appomattox. All the surface water to the south goes into the Roanoke River and all the water to the north goes into the James River. This means one - three things: 1) You are at the head waters of every water supply so you have to go a long way out to get any appreciable water supply; 2) you are developing in your watershed which is not a good idea from an engineering point of view. Back in 2003, or some where there about, the Governor issued Executive Order #39 that required that ever community have a water supply plan. This was for use in a drought situation and Appomattox Town had water restrictions at this time. Fortunately, the Town and County of Appomattox had gotten together and done a water study and costed it out and he thinks we are at a point now where we have basically disqualified building our own impoundment and running our own water line from the James River and the other alternatives and we think that is for good reasons, as this effects costs and the operating costs involved in operating our own system is very high. From his own personal experience and he is sure some of the others do as well, that you really don't want to operate these things yourself if you can avoid it. He has had experience at his place of employment and that you have to have certified operators, and the cost goes on and on. There is a tremendous amount of fixed costs involved. In his opinion, these would not qualify you through the regional system where you have a regional supply available, for example, grant monies, loan monies, etc. You would have a hard time justifying building your own reservoir and/or putting in your independent system. There has been a lot of statements about us setting on all the water in the world and have underground rivers, etc. This is not true. He used to meet with geologists and he struggled trying to find and understand about the ground water situation in and around Appomattox. The reality is that in the Town, you have little fracture zones that have occurred in the bedrock where water collects. However, the Health Department does not want you to drill in these areas as most of the time these wells will not meet the requirements because they are concerned with contamination. What you have typically is you have a stream where your ground water table will intersect and generally follow the contour of the surface, you will have a shallow well that penetrates this, the water will rise to the ground water level. As long as that water table does not drop you are OK, but you are subject to a lot of contamination.

The wells that the Town of Appomattox drills may be eighty (80) feet deep, but as you go further down you start to encounter cobbles, then more dense rock until finally around three hundred (300) feet deep you hit bedrock and no water is in it. All your water is contained in fracture zones somewhere in between where you hit the bedrock

and the bottom. Where does this water come from. Geologists say this is recharged locally. You do not have a stream flow that comes from the Blue Ridge Mountains. If your demand goes up, these little fracture zones dry up, where will the water come from. Another thing in recharging locally, we don't know exactly where this ground water is recharging. Suppose you build a shopping center over the recharged area or suppose there is a contamination source over that recharged area, you could have water quality problems. As you can see, there may be a serious problem. You might say, people drill wells all over the county, this is true, but 1-1/2 gallons per minute will serve the individual home, but for a town our size, we need to have a point running 25 gallon a minute or more before we will even consider developing. You do not have a 50 gallon a minute well every time you drill. Another thing is, there is the possible risk of contamination.

Mr. Spiggle: The town just drilled a 30 foot well, but they are thinking about drilling another because of the necessity of having more water. What you are saying Bill, is exactly right and he is probably one of those using the underground aquifer nomenclature, and this is really wrong. We do not have any underground aquifers. What we have is fracture zones and that sort of thing. Last night, a well connection for a gentleman out on Pumping Station Road just a short ways out of town, went dry. He also hears from the public, but he has no substantiation, there are some people in Cannon Oaks whose new homes are already experiencing some problems with their wells.

Mr. Conner: At the voting precinct on Tuesday, he had a gentlemen tell him he had bored a well 60 feet deep some years ago and within 24 hours the water was back to within 20 feet of the top of the ground and today he does not have water, so he has lost 40 foot of water in his well in the last 15 – 25 years. This is probably on the west side of town.

Mr. Spiggle: We take for granted that water has always been there and granted it has, but at the same time, every time it rains, people tell him "isn't it great it rained, it is getting back in the ground". They have tested water in the town well and according to U. S. Geologist, it takes somewhere in the 40 to 50 year range for this water to get back to where it is of advantage to the user. At the same time, when it rains, a lot of this water runs off. You may get two (2) inches of rain, but how much of it goes back in the ground to recharge. Every time we cut trees and build parking lots, this water runs off and does not do that much good to the water system in town. It is scary in his opinion. Charlotte Court House just went through a similar situation, granted theirs was not due to dry weather so much, it was due to a water leak that they could not find. They had to bring in bottled water for a town of about 400 to 500 people and we have about 1700 to 1800 people. They fixed the leak but they still have water problems. We cannot wait, in his opinion we have waited already too long. We cannot wait much longer to insure a viable source of water for this community, not just the town, but for all the area that is around the outskirts of town. And believe you me, folks, that day will come and people will come to see you or somebody, because they want somebody to do something now. In his opinion, we have waited already too long and we can't wait much longer to make some kind of decision because you are talking about bring in

bottled water or bring in drinking water for people, not water for washing clothes and doing other things with. This is quite an undertaking.

Mr. Conner: He is in the same camp as Mr. Spiggle. When he was on the job at BWXT they had a lot of wells and they had 535 acres on the site. They had to anticipate the unknown to figure out if they were ever going to need water and it was a good thing that Mr. Nash and others, decided to put water in from Lynchburg. That industry would shut down without water. It takes a lot of water and all you have to do is lose one or two of your wells, just like the town lost near Lewis McDearmon's and you will be in serious trouble.

Mr. Slagle: From the technical side he just hit the high spots and we probably had heard all of this before but he hopes it helps.

Mr. Spiggle: On the technical side, Mr. Slagle, Mr. Lewis, and Mr. Hancock, all being engineers know that you can get geologists to come in but they cannot tell you where an underground aquifer is. There are no aquifers around here.

Mr. Hancock: The only place in Virginia that has underground aquifers is the Tidewater area.

Mr. Spiggle: They may find you some water, but the problem is, like Mr. Slagle told you, when you start trying to get the Health Department to approve a well, the water is at the lower spot and they want the well to be higher up, where there is no water. They do not want something that has the exposure to surface water.

Mr. Hancock: If you do not hit the fracture zone that travels for miles and miles you will hardly get any water. This is because of the type of rock we are in is not conducive to the water bearing type of rock. Mr. Spiggle said that because of this, we have a lot of iron, manganese and other minerals in our water. We can get wells but sometimes the quality of the water is such, we cannot use it.

Mr. Slagle: Moving from the technical side to the economic development and how this will affect our future, not only for residential use but for economic development, he has asked Mr. Lewis to lead this portion of the discussion.

Mr. Lewis began by stating that in the industrial park they certainly, with the current situation, have enough storage to supply moderate users of water – light industry and a few people that use a lot of machinery or something like that. But outside of the industrial park, in any of the other development areas in the county, starting with the town limits, water is not available. No one is going to come in and invest two million to one hundred million dollars and have to depend on well water in this locality. There may be places down near Tidewater where they might be willing to do that because the water is certainly there. Without a good clean supply of reliable water we are not going to get industry in here anywhere. We need that industry because we cannot afford for residential tax rates to support the growth in the county. All of you know already that taxes on residents does not even pay for school children. That is why they need to get so much from the State, and they limit what they are going to give you. As the student

population keeps rising from the developments that come in, we have got to have tax relief from a tax base. We can't support tourism because you can't get a large hotel anywhere around here or a lot of small ones, because they are not going to depend on well water to supply their guests. This is especially true if they have to treat water as well as locate it. We hear a lot about developing tourism, but if we do not have the water, it will be just like it is now. People come in, spend a couple of hours, and then go someplace else. You have to have a place for them to stay, if you want them to stay in the county or the town but without water, you will not have this. Tourism and industry are going to suffer if we don't get a reliable supply of clean water, and as a result of that, all the residents will suffer from higher tax requirements on their real estate. This is why we need to have water, the well situation has already been explained. It is not adequate for future growth.

Mr. Slagle said that Mr. Conner and Mr. Nash had already discussed specific situations with BWXT and asked Mr. Spencer to comment on Region 2000 and what our experience has been developing good prospects for the industrial park.

Mr. Spencer began by stating that the way things work is a lot of prospects began at the State level. Some will start at the regional level. Either way, requirements are set forth by the prospect – this is what we need in order to set up shop – this much land, this area building, this much water. There are so many pharmaceutical and food processing type industries that are out there that we cannot even put our name in the hat for, because we don't come close to meeting their requirements in millions of gallons a day or more. There are also a lot of plastic and other type of manufacturers that are heavy water users that we would have difficulty meeting their requirements. Basically, if you do not meet the requirements up front, you don't get to submit your name because there are so many other localities out there that have the requirements already at hand. They have the water lines in the ground, the sewerage plan has enough capacity, etc. and they have enough places to choose from without having to listen to promises from localities like Appomattox – we will build this line, if you come. He was asked earlier by one of the IDA members "How many of those type of businesses have we had to pass on?" The answer was at least a dozen. But there were probably more than that, where we could not even submit anything on because we do not come close to meeting just the water requirements.

Mr. Conrad: It was interesting to note and he has said this before that he has talked to people here that have been strictly against this waterline but he again would like to say that he has a good friend that owns Alleghany Wood Products. It is probably one of the largest wood producers in the country. He sees this friend frequently and they spend a lot of time together. Since being elected to the Board of Supervisors, one of the things he has mentioned to Tom is "tell me about your county, tell me about business". He stated that since we do not have a public water system, he would not even be interested in locating here, and that until we do get a public water system, we are going to limit ourselves to the competitive nature as far as our growth goes and that ironically those that will suffer the most, will be the constituents within the county and the current tax payers. People do not see that, they are looking at short term and we need to think on long term as well as short term now. Incidentally, he has no interest in locating here as he has his plate full at it is.

Mr. Spiggle: He thinks another way to look at this is the fact that if you look at this county, and all of you know, and he does not have to tell you, where do our young people go? How many of our young people stay in this county? What is there for them to do, if they do not stay in a family run business? We lose them to a research triangle park in Northern Virginia, we lose them everywhere else and we need to keep some of these bright minds here. The only way we will ever do this is through economic development and the only way we will get economic development is thru infrastructure. We have never had economic development because we did not have any infrastructure – a water and sewerage system. Pure and simple. He agrees with Mr. Conrad we need to look at the long term, not the short term. Most of us in this room will probably never experience any growth development. He is looking at his grandchildren – he has a grandson 6 years old, one 5 years old and one 3 years old. He would like for them to stay here. It is a wonderful place to raise a family. It is a good place to live. But if we don't have some type of industry, something for the people to do, they are going somewhere else and we will lose them. As Mr. Spencer said, we are not competing with Lynchburg any longer, we don't compete with the State anymore. We compete today with the world. If we do not have the things in place, all your ducks in a row, all your I's dotted and T's crossed, they are not going to waste their time. If we don't have something here for them, and it concerns him a great deal of the industry that we have here, if we were to lose one of these major industries, we would suffer a great deal. Those same people that are fussing right now and haven't considered the recompressions, are going to be the same people that will be on his case, the Board's case, and everyone else's case because we didn't do something. The same thing goes with the water, people fuss about the water, and the waterline, but he can guarantee that their well runs dry, they are going to be looking at you to do something for them.

Mr. Conner: If you look at the surrounding counties, every one of them has public water, except Appomattox. That has got to be a real loud message.

Ms. Ferguson: That has never occurred to her and she has been in local government all her working life and it just hit her in the last year, to look around, Buckingham, and everybody has water except us. Why is this!!!

Mr. Slagle: He has been on this situation for 30 some years. He even goes farther back than Mr. Spiggle and unfortunately members of the general public simply do not understand the urgency and the necessity of this and they don't understand because so much of this subject has been so politicized and so confused that if they knew the facts and understood he believes they would agree with what we are saying here today. Around this table you will see that we are all business people, engineers, etc., and we wouldn't be dedicating our time to this effort if we didn't feel like Mr. Conner. We are not doing this because of our own interest, we are doing it because we want to see this county move ahead and to be better for our kids and we don't want to see our people pay more taxes. Some would lose their farms and homes because they could not afford to pay the taxes. That is what motivates each and everyone of us.

Mr. Conner: There would be some nay-sayers out there that say, even if you get water you don't have sewerage. You have got to have water first. You can accommodate

sewerage a lot easier and lot more timely than you can water. Water is the key to the whole development cycle.

Mr. Conrad: If we are going to do battles about this and it looks like we are. When you look around at development throughout our nation today, areas that want to put windmills in or turbines in, people do not want these sites ruined. If you want to have off shore drilling, we don't want our beaches ruined. If we want to develop nuclear energy, they do not want to do that – too dangerous. If we want to put a waterline in, no – they do not want to change the astatic value of the county. You have a lot of people out there that are going to say that, but maybe it not so many as it is just the ones that are saying it are rather loud. On the other hand, we have been put in these positions to make these decisions and we are not going to please every body in every case, but supposedly through the research that we do and the abilities that we have been blessed with, we will make a decision. We won't say it will always work out perfectly, but the main thing is that we have to realize that progress is something that is not going to stop, this is what we were elected for and that is what everyone is here for. We need to move on and say "the heck with this thing of everybody turning around and telling us how wrong we are" because basically you get that in everything you do.

Ms. Harris: Everyone wants a spigot to turn on and everyone wants the lights switch to turn on. That is a much more fundamental expectation.

Mr. Slagle: The scene Mr. Spiggle painted of having bottle water brought in, is very plausible, that could happen here.

Ms. Harris: From our economic prospective, people expect this. This is the norm they are use to. She travels a lot and talks to a lot of people, and the concept of well water, is completely foreign to many, many people and would not be a reliable supply at all. Not for their homes, and certainly not for business and industry.

Discussion continued around the fact that there is a lot left to be negotiated in terms of how this would be funded, etc. We would be getting a pretty good deal for getting water for less than five (5) million dollars. The system is set up to get a half-million gallons a day and if you wanted to increase this, it would not be that difficult because of the way it is laid out you can increase supply by just laying more lines. If we do not get on the train this time, that door may be closed and this opportunity may not every present itself again.

Mr. Spiggle: He wished to state from a gentleman who lived many, many years before he was born and everyone knows his name – Thomas A. Edison. He was an inventor and a very smart man with a lot of wisdom. He said "change is inevitable". If you do not believe it, look at Appomattox. We have three (3) shopping center – who would have ever believed that 20 years ago. Change is inevitable and you can be on the front end and be the beneficiary or you can be on the rear end and be the victim. We have the opportunity right now to be pro-active rather than re-active.

Mr. Slagle: Those who addressed the meeting all concur with the alternative as recommended by this report.

Mr. Carter: There was one thing that stuck in his craw at the last joint meeting of the Board and Town Council from the Region 2000 report, it was settled upon that we would adopt Alternative 2A or 2B , something that would reflect this in very simple terms. 50% of the usage of the Town wells would be used, supplemented by the 460 water line. This report does not have that and this threw him into left field. The reason why it threw him into left field, was simply because he had been broadcasting this was golden opportunity for Appomattox to move forward and along with that to think of it in terms of an insurance policy. If a town well dries up, you have the 460 water line. The flip side of the coin is that if something were to happen up west, the town would still have 50% of its water and you don't have all your eggs in one basket. He is not hearing this now, and this gives him a problem. Is this still negotiable?

Mr. Spiggle: What happened in the last joint meeting and if he must say, it was the worst meeting he ever attended. There was a very poor presentation. He is not sure if the person was not ready with the presentation, or properly acclimated to what he was talking about, he is not sure exactly sure what. You do not stand up before a group of people and say you left your books in the car and could not answer the questions. He feels that the nuts and bolts can be adjusted.

Ms. Ferguson: Part of the discussion was: 1) Buying enough water to keep the lines flowing so it would not become stagnate; and 2) the cost of treatment on these wells. If you combine all that with buying the water from Campbell County, it may make the cost of water so high, that it really does not make any sense to do that. She does not think any body made any formal decision one way or the other. There were some things discussed at that meeting and none of this is written in stone. This is what Campbell County Utility Services is saying today but when you set down at the table and start working with them, who knows what kind of an agreement you could come up with.

Mr. Spiggle: He has been asked many questions at various meetings. One lady even asked why they wanted her well and why did she have to connect to the water line. The problem is misinformation. Most do not understand that the users will be paying for this waterline. In his opinion, Cannon Oaks, should never have been allowed to drill wells. There should have been something worked out between the County and the Town and developer. We have more developments coming on and every time they drill one of these wells, they hit one of those little fractures that Mr. Slagle talked about, and these fractures will not last forever. You will then have a situation like that of Meadowlark Sub-division where all the septic systems failed. This was unacceptable. We need some way to work together, if not through a PSA, then through a mutual agreement or something that on the edges of where this is, something has to be worked out down here to insure that these areas come under public water rather than under wells.

Mr. Hancock: One other thing that jumped out at him was Campbell County is getting ready to spend somewhere in the neighborhood of \$3.7 million to get water to Concord and we had talked about just another little higher than that, to get water to

Appomattox. Comparing Concord to Appomattox, you are not comparing apples to apples.

Mr. Slagle asked if anyone else had a question.

Mr. Conrad: He needed a little more information on utilizing strictly the waterline as opposed to both the waterline and the wells. He would prefer, based on what he does know, saying that we use the waterline. You would end up spending more money to maintain the wells and at the same time spending money on the waterline.

Mr. Slagle: He thinks it was an economic decision. He thinks the town should be able to supply some numbers as to what it costs to operate and also whatever contractible agreement they make.

Ms. Spiggle: Look at the economics – either you do that or you don't. He thinks this all surfaced because some of the opposition to the waterline saw that they were giving up the wells, you were giving up control. Look around you, what are you in control of right now. We do not control very much. Look at Richmond to the east, and Washington to the north, and God above, you tell me what we are in control of. Very, Very little. That was why the wells came into play. Again, when we set down to negotiate all this, those are the things that have to worked out, we will not be able to work them out here. Those negotiators who will be working on this will get all that business worked out. Then we will decide on which is the least expensive to those people using it.

Mr. Hancock: He thinks it should be a transitional phase, where over the years, the wells will gradually diminish and the water line will provide more percentage wise. As the wells diminish in capacity, we can gradually take them off line. This would be the economic thing to do.

Mr. Conner: As wisdom would say, you would use water from the waterline and have the capability to use the wells and not mix the two. You will end up with bigger problems when you start mixing the two. If you listen to what Mr. Spiggle is saying about the conditions of the wells are and what the environmental impacts are, and you start mixing the two, you are getting yourself into a real problem.

Mr. Nash: That was what they went through when they got water at BWXT from the City. One was risk management in the fact that they had seven or eight wells and all were decreasing in capacity and they had a couple that were contaminated. They drilled and got a couple of dry holes and finally reached the point where they said that they had to get city water. They decided to not use the wells at all. The other thing was regulatory requirements, they eliminated all of that too.

Mr. Slagle: When it comes down to operating strategy, and you cost it out, and list your risk analogy, it will lead you to the decision, probably to use the waterline entirely, but you will have a basis for making that decision.

Ms. Harris: This would give you the ability to tell people that if they wanted to use the wells, they could pay more.

Mr. Conrad: He thought they had already established that the most cost effective way was to use the waterline and leave the wells alone.

Mr. Craft: You all agree that the PSA is the way to go. The only way to manage this.

Mr. Moore: Mr. Slagle, please explain about the PSA. We talk about the PSA but that is just three letters. What is the operation; Who is involved in it; Is it a full time job or just what is involved in the PSA.

Mr. Lewis: The PSA operates whatever utilities you turn over to it. It would require a full time director, a Board of Directors appointed by the Town and County, manage a utility fund where they pay their own way. They set the rates and maintain the system, expand the system, have people who operate whatever and they would work for the PSA.

Mr. Spiggle: The Board of Supervisors and the Town Council could be the PSA members. If you appoint business people and engineers to the PSA, you have taken the political realm out which isn't all bad. This is run just like any other business.

Mr. Lewis: The taxpayers that are against the waterline should be reassured with a PSA because the PSA only has water to sell and they can't sell it if nobody is buying. Somebody on the other side of the county is not going to have to pay for this. Most people think taxes are going to pay for the waterline. The PSA will remove this, it will be self funding.

Mr. Moore: Today's problem is that nobody wants any change at all. The only thing they want to change is to reduce taxes.

Mr. Woodridge: Fifty years ago, most people did not want electricity. They thought lighting was burn their house down. Now, every house in the county has electricity.

Mr. Slagle ask if there were any other questions.

Mr. Carter thanked the IDA for coming to the meeting and for the very informative presentation.

Mr. Lewis wanted to say something as a citizen, not as an IDA member. You guys have been elected to "stop the buck", no matter what anybody else says it is up to you to do what is best for everybody in the county. The same thing goes for the town. You have to take the criticism, if that is what it takes to get things done, if it is best for the community. And the waterline is best for the community.

Mr. Slagle: This thing has been so politicized, so much misinformation has been presented that it is understandable that there is a lot of confusion out there. We here are more familiar with the issue than 99% of the folks out in the community. In the end we have to do the right thing.

Mr. Spiggle: The State of Virginia has mandated to us that we have an alternate supply of water or plan. The State has pretty well said you are on your own. If you want to go to the James River-wonderful, Knock your self out, but you will not get any money. We have a million dollars through Congressman Goode and probably could get more if we get serious about this thing and get down to the nitty-gritty and establish what we are going to do.

Mr. Conner: He personally went to Richmond and got a million dollars to put the waterline down Mr. Athos Road, so he knows money is out there. The money is there, all you have to do is go get it.

Mr. Carter: What we have to look at is that this goes back to 2002 on studies. So this is just another part in helping the Board make a decision. We need to hear what was discussed here tonight.

Mr. Spiggle: We need to make a decision and let Campbell County know something before September, which isn't that far way.

Mr. Lewis: The next step is to establish a PSA and make a decision and start the negotiation process.

Ms. Ferguson: We need to decide to do the water line, or do nothing. There is a lot of negotiation that needs to go into this project.

Mr. Carter asked Ms. Ferguson to place this issue on the Agenda for the Board of Supervisors meeting on Monday, June 19, 2006.

Mr. Carter thanked the IDA members for being present.

Ms. Ferguson informed the Board they had a couple of items that needed to be addressed tonight:

1. **CVCC Project:** Contractors did a walk through today for the pre-bid conference. One of the questions was "Will the County waive building permit fees?" Also, she will ask that the Landfill fees also be waived, if we do not have to haul to Campbell County.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to waive the building permit fee for the CVCC project at the old elementary school. VOTE: Mr. Conrad, aye, Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

2. **CSA Coordinator Position:** Ms. Ferguson is requesting approval of the Job Description for a CSA Coordinator Position for Appomattox County and also permission to advertise for the CSA Coordinator Position for Appomattox County. Our job description is different from Campbell County's. She has basically taken three (3) job descriptions and developed one for Appomattox. Barry Elder,

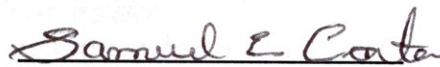
Dorinda Gratsby and someone from the Disability Services Board have agreed to sit on the interview panel.

Mr. Craft made a motion, seconded by Mr. Conrad to approve Ms. Ferguson's request for approval of the CSA Coordinator job description and permission to advertise for a CSA Coordinator for Appomattox County. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 3. Assistant Animal Control Warden/Facilities Maintenance:** Ms. Ferguson has prepared a job description for the Assistant Animal Control Warden/Facilities Maintenance position. This position is designed to help the Animal Control Warden but if necessary, help perform the routine maintenance of the County Buildings and Grounds. Also, permission to advertise this position.

After some discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to approve the job description for the Assistant Animal Control Warden/Facilities Maintenance position and permission to advertise for this position. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

At 7:45 p.m. Mr. Craft made a motion, seconded by Mr. Moore to adjourn.


Samuel E. Carter, Chairman

On Monday, June 19, 2006 the Appomattox County Board of Supervisors held a Public Hearing on the Proposed Ordinance changes at 6:00 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District

ABSENT: (Board of Supervisors:

Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
John G. Overstreet – County Attorney

PRESENT: Planning Commission)

Kevin O'Brien
Marvin Mitchell
Barry Morris
Calvin Tanner
Steve Conner
George Almond

ABSENT: (Planning Commission)
Brian Baines
Robert Johnson
Shannon Dews

At 6:00 p.m. Mr. Carter opened the public hearing and welcomed everyone that was present. He then turned the meeting over to Johnnie Roark, County Planner.

Mr. Roark stated the first ordinance to be heard is the **PROPOSED BIOSOLIDS MONITORING ORDINANCE**: This ordinance is for the purpose of allowing the County to recoup some of the costs of monitoring land applications for biosolids. Once we adopt this local ordinance, our Board will lay out the framework for monitoring the land applications of biosolids and then what procedure shall be followed for reimbursement. Part of the procedure is posting of a sign on the property.

Is there anyone present who wishes to speak against this ordinance?

Ms. Joyce Hing: Ms. Hing has a question. Do all the properties that have been or will be spread with biosolids have an addendum or codicil to their deeds that may it easy for a realtor or potential buyer to know beforehand that the land that they are interested in purchasing has been spread with biosolids? If not, who will be held accountable or responsible for informing them or damages or illness that occur in the future by these unsuspecting buyers from the spreading of biosolids or the metal buildup in the ground. The State of Virginia, the Health Department, the County, the farmer or landowner, or their heirs that are selling the land, the taxpayer or the companies that are spreading the biosolids and making tons of money.

Also, who will be held accountable or responsible for cattle that enter the food chain that has grazed on this land or eaten hay or other grains or fodder that has been produced on land that has been spread with biosolids and potentially can contaminate the meat? The USDA, the Health Department, The State, the County, the farmer or landowner or the companies that are spreading the biosolids and making tons of money.

Harold Hing: Mr. Hing would like to know how much is it costing the taxpayers of Appomattox County to provide these biosolids to these few farmers and stuff, if you want to call them farmers, or real estate people, that are using this stuff and spreading it. What is it costing us as taxpayers, eight hundred (800) thousand, two hundred (200) thousand or one hundred (100) thousand. There was a tremendous figure that came out about a year or so ago about what it was costing us. Does anybody know?

Mr. Carter responded that Appomattox County has been to court over this and the ordinances that we have tried to introduce were shot down because it was above and beyond the State allocations. That has not changed, so there is only certain limitations that we, as a locality, can put on the introduction of biosolids into Appomattox County. What we have before you, which Mr. Roark has pointed out, is an ordinance that addresses those that we can, our hands are tied, as to the amount of limitations we can put on this process. As far as knowing how much money, we don't have the slightest idea.

Mr. Craft stated there was no money from the Appomattox Treasurer going to biosolids.

Ms. Ferguson stated that when these farmers sued the County and ended up with the case in Federal Court, the Federal Court awarded them a certain amount of money because the Appomattox County Board of Supervisors was denying them their rights to spread biosolids in the County. That is probably where that figure came from. Mr. Conrad stated that after some negotiating, this award was reduced significantly, to about Two Hundred-fifty thousand (\$250,000.00). As far as what Mr. Carter is telling you here, we have no control from the standpoint of whether these biosolids can be administered or not. Mr. Overstreet, our attorney, can certainly elaborate on this, but we are what is called a "Dillon Rule State" and you also have states are what they call "Home Ruled States". In a Dillon Rule State, there are certain legislative actions that are taken by the State Legislature, which will preclude the County or locality from being able to change that to benefit themselves in any way, shape or form. In this biosolids instance, this fits into that category where the State regulates it and based on this, the Counties themselves will have follow the regulations set by the State. In a Home Rule State, the County would be able administer this as they see fit.

Mr. Hing said that in other words, there is nothing we can do about it. They are poisoning our land, poisoning our water and talking about wanting us to shell out a few dollars for the Chesapeake Bay, which we are contaminating. It is a terrible thing. He comes from Jersey and worked in heavy construction back in the late 70's and early 80's they were taking this stuff and spreading it out in the ocean. After about three years before it got so bad out there, that they told you not to eat any fish that came from the ocean. If it done that to the ocean, and then you turn around and drive by a place like G. D. Gilliam's and see the cows with tons of biosolids laying on the field and the cows in there pasturing, and they are worrying about mad-cow disease. Maybe in 5, 10 or 15 years we will probably be worrying about something a whole lot worse than mad-cow disease. People should really get their "hackles" up and try to put some kind end to this.

Dennis Torrence: Sammy and Aileen are probably the only ones here along with Russell that were here four (4) years ago when the Spout Spring Ruritan Club and the Health Department made a presentation. At that time, all of this was addressed. At that time the companies promised that we would always have a 30 days notice, that the signs would go up and you will recall a part of the lawsuit was the County tried to make the signs 4' x 8' and the companies wanted 3' x 3' or 2' x 2'. He realizes that there is no law stating how long they have to notify the surrounding landowners. It does appear that the law does require that they notify the County one hundred (100) days in

advance. Is this correct? It is a sad state that rural Virginia, not just us, everybody is facing this, that there is 134 or 35 thousand acres being spread now and he understands we have another one thousand acres in Appomattox. We have to plan an outdoor wedding or backyard picnics, out in the rural areas, around when the sludge will be spread. We know we lost in Court, but today we have a chance to at least cast an impact. He has three (3) recommendations: 1) Since we know the County gets 100 days in advance, there is no reason that the adjoining citizens can't be notified 60 to 90 days in advance. He, as a community service, volunteers to help put up these signs. We can solve this problem in rural Virginia, and this was a statement made by the Health Department four years ago, that this stuff was safe enough to be used on the White House lawn. This refers to Class "A" biosolids. He sold manure when he owned a dairy farm, this is also a form of biosolids. It is common knowledge, from an article in the newspapers, it cost approximately 3 to 4 time more to landfill this than to spread it in rural Virginia. Unfortunately, we are being dumped on. He personally thinks that our friends that are using sludge, are being used because to get 200 pounds of nitrogen, they have to store approximately 20 tons of God knows what, on the land. He thinks this is crazy, but it is tight to farm. If we could somehow to pursue a legal right to require safe biosolids on our land. 2.) To require these signs be put up by the County or the landowner 60 to 90 days in advance. 3.) For us as taxpayers to pay for monitoring, thank God we have one, who don't want sludge, the Board who doesn't want it, that we should have to pay for this monitoring. The sludge companies are making a fortune, the people who are using it are saving a whole lot of dollars and these are the ones who should absorb the cost of monitoring.

Mr. Roark asked if anyone else wished to speak on the Biosolids.

Kevin O'Brien: The Planning Commission submitted a zoning ordinance prior to the lawsuit, and we still have a copy of this. We spend several months in studying this problem but we knew we couldn't stop it, but we knew we could control it and have a better say in where and when it was going to be used, by giving notification by putting up signs, etc. Most of surrounding counties do the same. They met with a representative of Nutri-blend who gave them some information on what was allowable, etc. regarding notification. He could probably obtain a copy of this.

Ms. Ferguson stated the county could do that but it would be at the expense of the taxpayers. The new ordinance will identify and take care of some of this stuff, but there again, it would be at the county citizens expense.

Kim Walker: When she came in tonight she handled Ms. Ferguson a photograph that she took from her own vehicle of a moving sludge truck dumping their load. They do not have a permit to dump this on the highway, which she then has to drive her vehicle on, and then she carries it back into her drive-way. She thinks they should have to pay for dumping this sludge on the highway. This photo was taken near Bent Creek near where they pick up their load. They are ruining our county. She has never seen a sign anywhere in the county stating they would be spreading biosolids.

Mr. Roark asked if anyone else wished to speak on the Biosolida Ordinance.

Estel E. Surface: He would like to go a little further on the sign issue. A 30 or 60 day notice is fine but what happens if the sign is not there in 60 days. You are saying the cost of the signs – the company should have to put these signs up, they are the ones doing business. He moved here from Chesapeake to get rid of the trash dumps and the other pollutants they have there. He has now moved into biosolids. He would rather be in Chesapeake. We do not know the long term effects of this sludge on our children. This is a serious problem. He never one that believed the State should be able to tell the locality what to do. This is bad stuff.

Mr. Roark asked if anyone else wished to speak.

Dennis Torrence: What about putting the signs out. If I have 400 acres beside me that had been spread three (3) times in the last four (4) years, we need to know how long they will be spreading sludge. We had been told that this would only smell bad 2 to 3 days. What they didn't tell us was how much they would spread in a day. We need to know if we have to put up with this stuff a month, 2 to 3 days at a time. They need to tell us approximately how long it will take to spread the acreage involved.

Mr. Roark presented the next ordinance: **INDUSTRIAL DEVELOPMENT AUTHORITY – Title of Chapter 25 – Section 25-2: Change the name of the organization to Economic Development Authority. This amendment has been discussed by the IDA for a number of years and is intended to more clearly reflect the purpose of the organization.**

There were no comments for or against this ordinance change.

Mr. Roark presented the next ordinance: **BUILDING CODE : Amends Chapter 51 – Building Construction, Appomattox County Code to formally adopt the Uniform Statewide Building Code (2003) and the Statewide Fire Prevention Code (2003).** This ordinance would also change the name of the department from Office of Building and Housing to Office of Building Inspections.

There were no comments for or against this ordinance change.

Mr. Roark presented the next ordinance: **SOLID WASTE CODE: Amends Chapter 139 – Solid Waste, Appomattox County Code to update language in the following sections and update fees:**

- Section 139-3 (A) add the words *bags of*
- Section 139-4 (B) change twice to *once*
- Section 139-4 (C) (2) change one hundred dollars (\$100.00) to *two hundred fifty dollars (\$250.00)*
- Section 139-7 (A) (1) (b) amend to read: *Passenger, truck tires, farm tractor tires, and heavy equipment tire will be billed by the ton according to current Emmanuel Tire charges.*
- Section 139-7 (F) change two (2) tons per month to *six (6) tons per year.*

There were no comments for or against this ordinance change.

Mr. Roark presented the next change: **ANIMAL ORDINANCE: Amends Chapter 44-Animals, Appomattox County Code to update license tax amounts and adds language concerning the adoption of dogs from the animal shelter.**

- Section 44-2-(A) adds separate tax for spayed and neutered dogs (\$4.00) and increases the tax for all other dogs from \$4.00 to \$6.00.
- Section 44-2 (C) adds tax for kennels for thirty (30) dogs (\$35.00).
- Section 44-2 (D) adds tax for kennels for forty (40) dogs (\$45.00).
- Section 44-2 (E) amends the tax for kennels of fifty (50) dogs (\$50.00)
- Section 44-2 (G) adds requirements for the adoption of dogs.
- Section 44-2 (h) amends the tax for claiming a licensed dog from \$1.00 per day to \$5.00 per day, deletes *not to exceed five dollars (\$5.00)*, amends tax for claiming an unlicensed dog from five dollars (\$5.00) for the first day to ten dollars (\$10.00) for the first day, and deletes *not to exceed ten dollars (\$10.00)*.

There were no comments for or against this ordinance change.

Mr. Roark next presented the ordinance changes for **FEE SCHEDULES: Various fees charged by the County for development services should be reviewed from time to time to insure that the cost of development is not being paid by the average citizen and that the developer is paying his "fair share".**

NEED TO GET CHARTS FROM JOHNNIE.

AN ORDINANCE TO ADOPT A FEE SCHEDULE FOR SERVICES RENDERED UNDER THE APPOMATTOX COUNTY CODE

The purpose of this ordinance is to adopt new fees for development services, E911, Solid Waste, and Building Inspections.

Be it ordained that the Appomattox County Board of Supervisors does hereby adopt the following fees for development services in planning and zoning:

Board of Zoning Appeals (includes appeals and variances)	\$200
Petitions for conditional use permit	\$200
Petitions for rezoning	\$300
Plat approval one (1) to four (4) lots	\$25 +\$5/lot
Plat approval five (5) or more lots	\$50+\$10/lot
Plat approval for boundary line adjustments, vacations, all others	\$25
Site development plan review	\$100+\$10/ac
Zoning Permit	\$25
Certification of Zoning Compliance	\$25
Home Occupation Permit	\$25
Junkyard License	\$35
Sign Permit	\$25
Antennae/Tower Permit	\$250
Publications	
Comprehensive Plan	\$35+postage

Zoning Ordinance	\$20+postage
Subdivision Ordinance	\$12+postage
Combination Zoning and Subdivision	\$25+postage
Street Map	\$5
Bad Check	\$40

Be it further ordained that the Appomattox County Board of Supervisors does hereby adopt the following fees for building inspections:

New residential construction	\$0.15 per square foot (psf)	\$100 minimum
Commercial construction	\$0.12psf	\$100 minimum
Attached accessory structures	\$0.12psf	\$75 minimum
Detached accessory structures	\$0.12psf	\$75 minimum
Residential Addition	\$0.15psf	\$75 minimum
Mobile Home; single wide		\$100
Mobile Home; double wide		\$150
Modular Home	\$0.15psf	\$100 minimum
Electric		\$50
Plumbing		\$50
Additions	\$0.15psf	\$50 minimum
Mechanical		\$50
Demolition		\$50
Re-inspection		\$25
Antennae/Towers		\$100
Refund		\$30

Be it further ordained that the Appomattox County Board of Supervisors does hereby adopt the following fees for E-911 services:

Replacement of street address placard	\$30
New road address range assignment and street sign	\$150+ cost of sign & hardware

Be it further ordained that the Appomattox County Board of Supervisors does hereby adopt the following fees for solid waste services:

Municipal Solid Waste-citizen	12000 pounds/year free, then \$50/ton fee
Metal/cardboard/paper/brush	brush to count towards 12000 pounds/year for citizen. Brush will be charged for by businesses.

Except as hereby amended the rest of the fees listed in the Appomattox County Code will remain in full force and effect.

Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Monday, June 19, 2006 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint meeting at 6:30 p.m. at the Appomattox County Community Center, located on Community Lane, in Appomattox County.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
Calvin Tanner
Steve Conner
George Almond
AL Sears
Robert Johnson
Barry Morris
Shannon Dews
Bryan Baine
Marvin H. Mitchell

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
John G. Overstreet – County Attorney

At 6:35 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, after which Mr. Carter invited everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the first item on the agenda: **Setting of the Agenda:**

11A Library Board Appointment

Consent Agenda:

18A Supplemental - \$6,049.00 - Electricity

20A Line Item Transfers: Sheriff's Department - \$17,378.42

Building & Housing - \$201.63

Registrar - \$758.00

Mr. Carter stated the next item on the agenda was **Citizen Public Comment Period:**

This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There were no Citizen Public Comments.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 11)

1. **Planning Commission Recommendations:** The Conditional Use Permit for Michael Wirth for a kennel in Agricultural District (A-1) was tabled at the last Board of Supervisor's meeting to wait for the County Attorney to be present prior to making a decision. This petition is enclosed for your convenience.

Mr. Craft has several concerns 1) the large number of dogs that would be there; He thinks Mr. Wirth has addressed this issue. 2) the weight of the dogs kept; 3) the four foot fence is also a concern. What will be done when the female dogs come in heat and community dogs attempt to jump the fence. What precautions will be taken to prevent this from happening.

Mr. Wirth stated he planned to do was put the dogs that are in heat behind a six foot fence. In separate pens from the other dogs. He can also put these dogs indoors. From what he has seen so far, his dogs bark much less than the neighborhood dogs. The dogs he will house (the Pugs) are small dogs, and the only large dogs he has are his pets, which stay in the house and are only outside to go to the bathroom.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Moore to approve petition **CPU06005 – Michael Wirth** to operate a kennel on property located on Route 600 (Swan Road) between Route 1109 (Park Street) and Business 460 (Pamplin Road), Tax Map #111A1-(A)-6 and is zoned Agricultural District, A-1 and Village Center District, V-1 (Town of Pamplin), with the following conditions:

1. The applicant shall comply with all rules and regulations concerning commercial kennel operations in accordance with the Virginia Department of Agriculture and Consumer Services, Office of Veterinary Services.
2. A 25' buffer will be maintained along the southern property line. The buffer area shall be filled with a privacy fence (minimum six (6) feet tall).
3. A 25' buffer shall be maintained along the northern property line from the western corner near Swan Road for approximately 100 feet east to an existing fence line. The buffer area shall contain large evergreen trees planted five (5) feet on center and staggered.
4. All exterior fixtures shall be arranged, directed, and shielded downward so as not to reflect any glare outward adjoining street or properties. At no point shall the glare from these lights exceed 0.5 – foot candle power at the property lines.
5. All outdoor runs, training areas, and pens associated with the kennel shall be set back a minimum of 60 feet from any property line.
6. Although the term "Kennel" as defined in the Appomattox County Zoning Ordinance, includes "the boarding of dogs, cats, and all small animals...", this conditional use permit does not include and specifically excludes, the right to board animals on the subject property.

7. At no time shall there be more than 30 breeding animals located on the subject property.
 8. There shall not be any animals located on the subject property the weight of which exceeds 50 pounds.
 9. During the entire time that any female dog is in season, that dog shall be confined inside or within an enclosure with a fence of at least 6' in height.
- VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **County Vehicle Licenses Ordinance:** At the June 5, 2006 meeting each member of the Board received a copy of the proposed ordinance. This ordinance has been revised to eliminate the installation of a decal on vehicles. A public hearing date needs to be scheduled for this ordinance change.

Public hearing on the proposed County Vehicle Licenses Ordinance will be held at 6:00 p.m. on Wednesday, July 5, 2006 prior to the regular Board meeting.

3. **Appomattox County Farm Service Agency:** At the June 5, 2006 meeting there was some discussion on the proposed closing of the FSA Office in Appomattox. Mr. Conrad was to research this issue and report back to the Board.

Mr. Conrad stated he and Mr. Craft went to the meeting that was held on June 5 and of course, this was actually a public hearing. The purpose of this meeting was to give individuals to express themselves as to whether they think this office should remain office. At that meeting, Virginia State Executive Director, stated that nationwide since the first Bush Administration there has been a movement to slowly weed out or cull some of these offices that do not have as much agriculture in them and/are either not as busy as some of the other regions are. It is costing more to run the office than the benefits that you are actually putting out to the county. There were about 25 people present at this meeting. The fact of the matter is, after further research, the state of West Virginia is going to reduce their offices from 31 to 18 in the coming year. Basically they are looking at doing the same in every state because there is just not enough money to pay the rent for what you are getting. In one of these meetings, it was brought up by one of the other county officers or county Board of Supervisors in Culpepper County that in order to keep their office open it might be prudent if we could see the possibility of them to help pay for the office. If you want to look at it that way, you will be saying that the local government will take care of the Federal government. When this was presented to our county, he stated he was certainly against any such doings. We are required by law to balance our budget and revenue and it would cost the taxpayers additional monies to keep this office open in Appomattox County. He feels the Federal Government needs to handle their own business and the counties should not be required to pick this up. He also stated at this meeting that if they could keep this office open, that would be fine, but we certainly in no way, shape or form, are going to volunteer to cover the expenses of keeping this office open.

4. **Indoor Plumbing/Rehabilitation Program:** We have received a letter from Todd Christensen, Associate Director, Community Development Division of the Department of Housing and Community Development asking if we wish to continue with Lynchburg Community Action Group administering our indoor plumbing program.

Ms. Ferguson stated that Lyn-Cag has been administering this program for several years and we have had good success with them. She does not see any need to change now.

Mr. Moore made a motion, seconded by Mr. Craft, to continue to have Lynchburg Community Action Group administer the County's Indoor Plumbing/Rehabilitation Program. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **The American National Red Cross:** We have received a statement of understanding between the American Red Cross and the County of Appomattox. This document is simply a formality as we are presently operating in this manner.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to approve issuing a Statement of Understanding between the American Red Cross and the County of Appomattox. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Public Boating Access along the Appomattox River:** Prince Edward County has made a request to the Virginia Department of Game and Inland Fisheries that they establish boating access along the Appomattox River at Featherfin Wildlife Management Area.

After a brief discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad to issuing a Letter of Support to the Virginia Department of Game & Inland Fisheries in support of Prince Edward County's request to establish a boating access along the Appomattox River at the Featherfin Wildlife Management Area. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 6:58 p.m. Mr. Carter called for a recess until after the public hearing to be held at 7:00 p.m.

At 7:16 p.m. Mr. Carter reconvened the Board of Supervisor's meeting

Mr. Carter then called for the next item on the agenda:

7. **Upcoming Conventions and Seminars:** The first scheduled event is the Fire and EMS Summit that is held in Charlottesville August 25, 26, and 27, 2006. This event is a gathering of local government officials and fire and EMS personnel from across the U.S. In light of the concerns that we presently have, I feel that

this event would be extremely helpful to any member of the Board that would be able to attend.

The Virginia Association of Counties annual conference is scheduled for November 12 – 14, 2006. County Administrator has not received the agenda as of yet but will need to make reservations as soon as possible.

Mr. Craft stated he would be attending the VACo annual conference on November 12 – 14, 2006.

8. **Letter from William A. Burke on behalf of the Appomattox Businessmen:** At the May 30, 2006 meeting with the Town of Appomattox, Mr. Burke presented a letter voicing some concerns that some Appomattox Businessmen would like addressed. Ms. Ferguson has done some research into these matters and has provided some material for review and some comments on other items.

Also provided is the only Blue Ribbon Committee report that is on file and there is no recommendation that the local governments combine, organizing one government.

Joint Tourism Director: In researching the minutes staff finds that over the years there have been attempts to join together with the Town and the Chamber of Commerce to hire a Tourism Director. For one reason or another it has not worked out. Staff believes that Anne Dixon is doing a fantastic job marketing the Town as well as the County and would like to commend her on all that she does to promote tourism.

Regional Waste Management Program: A considerable amount of research has been done into the best avenue for handling our solid waste. Staff believes that the Board of Supervisors is always open to better and more cost effective ways to serve the citizens of the County. We will continue to watch the progress of the Regional Solid Waste program as it develops to see if there is a savings for Appomattox County to participate.

Mr. Carter commended Ms. Ferguson for providing the information for the Board's review.

Mr. Craft stated that he is still interested in see how Campbell County is going to save 14 – 16 million dollars in the next two years. He would also like to know the identity of these business men.

9. **Proposal for the Appomattox Elementary School:** Mr. Conkwright made a request for the use of the old elementary school cafeteria for the wrestling club. As far as the insurance is concerned we have a liability policy that covers us if we are negligent in some way but we do not carry medical coverage on participants in our recreation program.

Mr. Armbrust stated he had talked with Coach Conkwright and a couple of his staff. This is what they have come up with. He understands that the Board does not want to put further burdens on the County. He thought they could use the old cafeteria; they would put their mats in there. One of them reported that the boilers needed to be primed or updated, cleaned out, etc. They have agreed do the boilers and put some type of regulator on the electricity. As far as insurance, they have spoken with Mr. Hudson regarding providing this through the high school.

Mr. Conrad reported that when Mr. Conkwright spoke to the Board about the use of the cafeteria, he explicitly told us that he had talked with Ms. Dixon. She said she had never talked with Coach Conkwright and she knew nothing about this at all. He has concerns when someone comes before them and wants somebody to buy in to a plan or program and give you information and you find out this information was not slightly out of kilt but

it was 180% out of kilt. He point is he has to ask the question of why would he have come to the Board with this, knowing that we would have communication with Ms. Dixon. Who did he think he was fooling. He is not against doing something that is for the good of the kids or school, but if Mr. Conkwright is going to be in charge of this and he right off the bat gave us information that was not anywhere near being correct - Mr. Conrad has problems with this.

Mr. Craft explained he had a different understanding – that Mario was the one who spoke with Ms. Dixon and laid the ground work.

Mr. Carter said he was surprised to find that no discussion had been held with Ms. Dixon and he is concerned with the expense involved.

It was the consensus of the Board that Ms. Ferguson and Ms. Dixon work out the details of this request and map out a proposal.

10. **Courtland Field Stage:** At the last meeting you were approached with a request that you allow the construction of a stage in Courtland Field. The stage area has been staked off for your consideration. Mr. Scott has come back to say that his group has secured the funding, so there would be no request from the County for participation in the cost.

Staff recommends making a decision on allowing a stage to be constructed in the edge of Courtland Field. Ms. Ferguson stated that she has been approached with the suggestion that the stage be constructed at some designated site in the Community Park where it would be better suited for concerts and future usage.

Mr. Conrad made the comment that last Friday night, the band "The Worx" was here and last year they performed in Courtland Field because we were able to use a trailer at the time. Unless you have a stage in Courtland Field by the time of the Railroad Festival, a lot of things will have to be changed. Again, this stage will not be difficult to remove, if at sometime this comes about. He has not objection to this request.

Mr. Moore stated he felt it should be placed in Abbitt Park.

Mr. Craft stated there was one there, but it was not big enough to handle some of the groups that perform.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the construction of a stage in Courtland Field. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 11. Dog Confinement Ordinance for Appomattox County:** Supervisor Armbrust has requested that the issue of a dog confinement ordinance be placed on the agenda for the Board's comments and consideration.

Mr. Armbrust first stated that he wished to thank Ms. Ferguson for her help in the recent situation he had concerning a dog.

His issue is that when a neighbor's dog comes on your property and disturbs your property, your shrubbery, etc. who is liable for this damage. In talking with a few other counties, that do not have a lease law, but if a dog destroys your property, attacks your children, or your pets, you can send a certified letter to that neighbor. If after receiving this letter it happens again, then you can take legal action. There is a court costs of about \$75.00 and if it happens a third time, the judge can determine if the dog should be chained up or confined, etc. This helps a little without a lease law. He asked Mr. Overstreet if he had any comments they could elaborate on or a bases for an ordinance.

Mr. Overstreet said he had not looked at the animal laws recently. The State had changed them periodically and given the localities more authority as far as the items Mr. Armbrust is talking about. He will look into these and see what other counties have in place and present some suggestions to the Board.

Mrs. Ferguson had a copy of Campbell County's ordinance which contains a section regarding "Permitting Animals to Trespass", which is what Mr. Armbrust is talking about. We do not have anything in our ordinance to handle trespassing of animals.

Mr. Overstreet will check into this issue and get back with the Board at a later date.

- 11A. Library Board Appointees:** The Library Board has a vacancy that needs to be filled. There are two (2) applicants who have expressed an interest in serving on this board. There was some discussion regarding these two applicants.

Mr. Conrad made a motion, seconded by Mr. Moore, to appoint Charles Pearson to serve on the Library Board for a term of four (4) years. Term to expire 6-30-2010. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:** (Items 12 – 20)

- 12. Approval of Bills:** Please approve bills for payment as presented.

FUNDS TRANSFERS:

13. **E-911 Fund:** Please transfer by consent \$192,435.00 from the E-911 Fund into the general fund to cover expenses for FY2006.
14. **Courthouse Maintenance:** Please transfer by consent \$40,000.00 from the Courthouse Maintenance Fund to cover expenses for FY2006.

SUPPLEMENTAL APPROPRIATIONS:

15. **Sheriff's Department:** Please appropriate by consent and supplement \$13,315.00 to the Sheriff's budget to pay for a new fingerprint machine. This will be reimbursed by the Compensation Board.
16. **Facilities Maintenance:** Please appropriate by consent and supplement \$14,000.00 to the Maintenance Department's budget for electrical service over runs and for a shortage in the cleaning budget.
- Also, please appropriate by consent and supplement \$17,900.00 to Capital Outlay in the Maintenance Budget to pay for work required at the Voting Precincts. A portion of this work will be reimbursed by the Federal Government.
17. **Social Services Budget:** Please appropriate by consent and supplement \$736.00 to the Social Services budget for automobile insurance premium.
18. **CSA:** Please appropriate by consent and supplement \$40,000.00 to the Comprehensive Services Budget to pay bills for the month of May 2006. Most of these funds will be reimbursed to the County.
- 18A. **General Properties:** Please appropriate by consent and supplement \$6,049.00 for electrical services.

LINE ITEM TRANSFERS:

19. **Treasurer's Office:** Please transfer by consent the funds as requested by Ms. Belter.

From:	1213-5415	\$1,700.00
	1213-5801	145.00
	1213-5802	225.00
TO:	1213-3005	\$ 600.00
	1213-3010	400.00
	1213-5201	450.00
	1213-5401	260.00
	1213-5501	110.00
	1213-5504	250.00

20. **Sheriff's Department:** Please transfer by consent the following:

From:

3102-5305	\$7,122.00
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To: 3102-7005 \$7,122.00

20A. Sheriff's Department: Please transfer by consent the following:

From: 3102-2005 Blue Cross \$8,337.50
3102-1001 Salaries 9,040.92

To: 3102-1003 Part-Time Salaries \$17,378.42

20B. County Administrator: Please transfer by consent the following:

From: 3401-5305 Motor Vehicles Ins. \$201.63

To: 3401-1001 Salaries 86.13
3401- 2001 FICA 115.50

From: 1301-2005 BCBS \$758.00

To: 7301-1001 Salaries 658.00
7301-2002 VRS 100.00

Mr. Moore made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:**

21. **Appomattox County Public Schools:** Please find enclosed for your information the monthly financial report for May 2006 from the public schools. Also, enclosed for your information is a copy of a letter sent to the Town concerning utility rates being charged for the elementary school.
22. **Temporary Emergency Permit for W. E. L., Inc:** Enclosed for your information is a copy of a Temporary Emergency Storage Permit issued to W.E.L., Inc. by the Department of Environmental Quality.
23. **Trans Dominion Express, Inc.:** Enclosed for your information a copy of the newsletter on the Trans-Dominion Express. Our representative on this Board is Evans Thomas.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Armbrust has some concerns regarding the water line issue. He thinks this is a great idea and a lot of people agree that we do need more water. There are some misconceptions. It has been mentioned several times that Cannon Oaks Subdivision has been problems with their wells. No one he has spoken with knows of any problems in Cannon Oaks.

Also the rumor that Fred Jones requested the town to run its water line down Route 727. is not so. Mr. Jones is in the well business and he has not made this request to the Town. He is for the water line and for the County to take on this project. If the town needs water they should go through the County. Someone should have Mr. Beatson of the Health Department and Mr. Jones or someone who know a lot about the well business and check to see just how much water the town does have, and what their concerns are. Then may some of these misconceptions can be cleared up.

Mr. Craft stated he is still in favor of establishing a PSA so things can be managed properly.

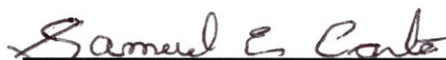
Mr. Carter agrees that the management is going to be very crucial. We have studied this issue to death and from the comments received, we should move forward with the 460 waterline.

Mr. Conrad says there were a lot of good comments. However, we need to have a Public Comments Session for the public.

It was agreed to hold a Public Comments Session on the Waterline issue at 6:00 p.m. on Monday, June 26, 2006 at the Appomattox Community Center. The IDA will also be invited to attend this session.

The regular meeting of the Board of Supervisors will be held on Wednesday, July 5, 2006 due to the Fourth of July Holidays.

At 8:09 P.M., Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

UPCOMING MEETINGS

**JULY 5, 2006 @ 6:30 P.M.
REGULAR SCHEDULED MEETING
COMMUNITY CENTER**

**JULY 17, 2006 @ 6:30 P.M.
REGULAR SCHEDULED MEETING
COMMUNITY CENTER**

On Monday, June 19, 2006 the Appomattox County Board of Supervisors held a joint public hearing with the Appomattox County Planning Commission at 7:00 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
Calvin Tanner
Steve Conner
George Almond
Barry Morris
Shannon Dews
Bryan Baine
Marvin H. Mitchell

ABSENT (Planning Commission):

AL Sears
Robert Johnson

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
John G. Overstreet – County Attorney

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark, who read the first petition to be heard:

Petition 05-551 – Appomattox Anglican Church: The Appomattox Anglican Church/Reverend Dr. Geoffrey Hubler is requesting an amendment to their Conditional Use Permit for property located on Redfields Road (Route 635) between Confederate Boulevard (Route 460 and Lee-Grant Avenue (Route 1001) in order to expand the private school use currently on the property. Property is zoned Agricultural District, A-1 and is Tax Map #76 (A) 158.

Mr. Roark asked if anyone wished to speak regarding this petition.

Ms. Debbie Powell, 101 Maple Street, Appomattox, VA. & Earl Jones, a resident of Appomattox County: As members of the Appomattox Anglican Church and Appomattox Christian Academy, we are proposing to expand the existing use of this location. The project will be phased with the first phase including a new lobby, library, eight (8) classrooms and additional parking. Phase one will consist of approximately 7,310 square feet of new construction. Phase two will include a gymnasium, locker rooms and additional offices totaling approximately 9,900 square feet. Future plans call for a new worship facility of approximately 6,500 square feet, athletic fields and a nature trail/recreation area located to the south and east of the existing building. This school began last year with approximately eighteen (18) students. The projection for the upcoming school year is for sixty (60) students. Enrollment has already reached this number. The ultimate goal of the school is to have approximately 130 students from grade kindergarten through twelfth grade. This is due to the overwhelming support of the community and they feel like it is their mission to provide for the county and hope that the Board will approve this petition.

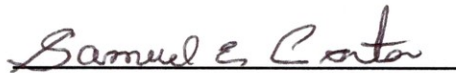
Mr. Jones stated that there were about 12 people present who would speak in support of this petition.

Mr. Roark asked all those present in favor of this petition to please raise their hands. About thirteen (13) people were in favor of granting this petition.

Mr. Roark asked if any wished to speak in opposition to this petition.

Having no one else who wished to speak, Mr. Roark turned the public hearing back to Mr. Carter.

Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Monday, June 26, 2006, at 6:00 P.M. the Appomattox County Board of Supervisors held a Special Public Comments meeting with the Appomattox County Industrial Development Authority at the Appomattox County Community Center on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: (Board of Supervisors)

Russell H. Moore – Piney Mountain District

PRESENT: (Industrial Development Authority)

William S. Slagle - Chairman
James (Buddy) Conner
Wayne Lewis
Walter Hancock
Laurie Harris

ABSENT: (Industrial Development Authority)

Cecil Wooldridge
Winfred Nash

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
Johnnie Roark, County Planner

At 6:05 p.m. Mr. Carter called the Public Comments session to order and gave the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then stated the purpose of this meeting was to receive comments on the proposed Concord - 460 Waterline. He asked those wishing to speak to approach the microphone and state their name and address for the record.

Paul Caviello, 1746 Police Tower Road, Appomattox: First and foremost, is the overriding concern about the economic development and growth of the county and we were hampered in this growth by the lack of a supply of water. While the arguments are compelling, the data from the U. S. Census simply does not bear out your concerns and interests. Reality is, in general, our workforce is not leaving the area. At present, the commute is no more than 30 minutes to or from work each day. On average about 9 to 10-1/2 % of those have a college education and so what we have is a "Blue-collar" workforce, for the lack of a better term. Given the fact that it is industry that requires heavy water usage, that we have been denied access to, it seem to him that our current infrastructure, which you have describe as moderate water usage or light industry,

business or firms still have the opportunity to come here. If the IDA sees that as an impediment to growth, then the IDA is probably better suited to address the needs.

Although the plan calls for a service department or water authority to provide for a price for use on the self fulfilling water line, it seem to him that a 9.2 million dollar project, divided in a 4.5 million dollar section from Campbell County and a 4.7 million dollar section Concord to Appomattox, doesn't take into account the infrastructure needed within the town limits and the infrastructure necessary to get the water into the houses that would use the water. It was stated in the newspaper that the ideal situation was that this water authority is the means by which the infrastructure is paid for because then it is based on a fee per use. Therefore, no tax burden is transferred to the citizens of the county or town. The common belief was "there is water to sell, but nobody is buying it" therefore, no one is paying for it. The cost of this project has to be settled somehow. Given the current demographics of the town, he does not see how the town residents can sustain this type of expense. According to the census, the average is earning about \$24,000 to \$20,000 per household. When you calculate the number of households - 778 - you are looking at about a \$75,000 burden per household to carry the expense of this project. This is unstantiable. The county overall is growing. He does not see the need for this project. It appears that we are steam rolling ahead with a project that is not indicated by the facts, either for economic growth or population growth, and will cripple this county. A chief concern is the rumor he has heard from a public employee, is that the decision has been made to move forward with this project.

Mr. Carter assured Mr. Caviello that there had been no decision made on this project. Rumors that are circulating, the Board has no control over.

Dr. Betty Siano, Virginia Avenue, Appomattox, VA: She read in the paper last week that there were some concerns about the young people of Appomattox moving away, etc. As a woman of 80 years old, I tell you that her husband and her are very secure, we have no need for money. If some of the plans that come "down the pike" are passed without really being scrutinized, many of the young people will not come back, they can't afford to. She read a letter that she had received from a young man she has been keeping informed of what was going on in Appomattox. She is so proud of so many of her young people.

To the Editor: Piping water from Lynchburg or Campbell County, by whatever route, whether free or costly, was never, ever, a simple attempt to solve the "drought problems" of Appomattox!

Wiley and Wilson (Water Study 2003) was hired to find an additional source of 2.0 million gallons per day (mgd) for the Appomattox area. They dutifully did their job.

Why so much water? The Town uses less than one eighth (1/8) this amount and little growth was forecast.

The water study found that the least expensive source (15.4 million) would be a reservoir 3 miles EAST of town.

Despite this, a more expensive (26.4 million) pipeline source, more than 20 miles WEST, in Lynchburg, was chosen WHY? Study of Table I (Water Demand Projections) showed that most of the water was allocated to industrial, commercial and residential growth along 460 west.

There can be no doubt that the Goal was always "DEVELOPMENT OF 460 WEST"!

The details of that plan had nothing to offer Town citizens except James River water at a higher price. County citizens would not and will not be able to use the PIPELINE unless their property borders 460 west!

Who would/will benefit? Only Landowners and Builders in a narrow strip along 460 WEST would benefit. EXCEPT DURING DROUGHTS, Lynchburg has water to sell and wants to develop industry within and near the city.

ALL COUNTY TAXPAYERS were/are slated to pay the cost of the PIPELINE! Users would pay both Taxes and User Fees.

Citizens began to and are, still asking questions and raising objections to paying for something they didn't need or couldn't use.

Region 2000 was hired to produce a "POLITICALLY" acceptable plan to pipe Lynchburg to Appomattox.

Their first effort reduced the cost of a pipeline by \$10.9 million to \$5.5 million.

Still a pipeline, still Lynchburg water, still too expensive...back to the drawing boards.

Finally, a new study, and a FINAL (?) DRAFT that presents three (3) absurdly alternatives and three(3) pipeline versions complicated by a new feature called a PUBLIC SERVICE AUTHORITY that creates another government organization similar to the "WILDLY UN-SUCCESSFUL" IDA (INDUSTRIAL DEVELOPMENT AUTHORITY)! Only one (1) business located there!

One source of water for a new pipeline from Campbell County is the Otter River. First citizens feared the POLLUTION of the James River; now they need to fear the POLLUTION of the Otter River which has 14 users, including the Bedford Sewer and Water plants, as well as the Gunoe Sausage Factory.

I've "done the math" to paraphrase Mr. Gillespie and it doesn't look appealing to Town Citizens who will pay a minimum of 36.9% more for water than they do now. Any pipeline option makes the Town and the County DEPENDENT WHILE IGNORING THE VALUE OF OUR OWN WATER!

The RATIONALE seems to be: "that Mayor Spiggle wants out of the Water Business" and Supervisor Carter "want to do SOMETHING"!

Sincerely, Adam Lawson

Dr. Siano continued by saying that she is a member of the Appomattox County Citizens Coalition, she sincerely wants to cooperate with every member of the Board but she will not send anyone a blank check to spend my hard earned retirement or tax dollars. She is not opposed to growth, it is a very necessary aspect of every community. There needs to be input from the citizens, as well as directions and decisions from our leaders. We elected you to represent us, you should not make ad hock decisions. As a member of the citizens coalition, she would like to suggest that we need to put "the horse before the cart". If we are becoming involved in the pipeline for water for industry as Mr. Slagle seems to suggest, then she and every member of this community is entitled to have the following questions answered in writing and submitted to us through the Board of Supervisors. She is sick and tired of picking up the Times-Virginian and having someone spouting off we did this and we did that, and she doesn't see any evidence of proof. She pays her taxes and she deserves something and when someone is making a decision as important as a waterline or pipeline, she thinks she is entitled to these answers:

1. A complete list of all of the industries/businesses referred to by Mr. Slagle as not locating here because of a lack of water.
2. The name of the spokes person or contact person: their phone numbers, their addresses.
3. The kind of industry or business and type of product they would be produced.
4. The amount of water they needed to operate. What about wells, the furniture place has a well and we have pretty good wells here.
5. Any other reasons why they were reluctant to come here.
6. What the IDA done to encourage industry and what have they accomplished?

It is difficult to perceive the need for water being so great that we cannot provide it. What are we talking about, Aqua World or Sea World. The IDA has the responsibility to disclose this, the industrial park belongs to each and every citizen and it is about time that they began to see some of the results. Why all the "hocus-pocus" about having anyone in the park except Lynchburg Concrete because of a lack of water. It almost seems that the source of the waterline or pipeline is a necessity, so that the lack of progress in the industrial park and is being use as an excuse and is being use to cover someone's "backsides". The evidence of the number of applicants that decided not to locate here should be documented and readily available to any citizen of the county. When the elected officials are not aware of the applicants and why they are not in the park, we are all in danger of losing our democratic society. This situation is ludicrous. If the Board of Supervisors, do not give the citizens the answers to pertinent questions and make them a matter of public record, then the issue should be tabled. We should wait until we get the answers. That is the only way the Town and County Officials can make informed decisions. Was the industrial park built on the premise of "if we build it, they will come", if so, they have been an awful long time in coming.

Mr. Carter then introduced Bill Slagle, Chairman of the IDA.

Mr. Slagle stated he would like to introduce the members of the IDA and in some fashion respond to the list of accusations and so forth that have been placed against us.

James (Buddy) Conner – a graduate of Lynchburg College, was in the Marine Corps. He was a V.P. and General Manager of BWXT for eleven (11) years in Lynchburg. Presently retired.

Wayne Lewis - Senior V.P. of Wiley & Wilson with 42 years of civil engineering.

Laurie Harris – Accountant with Areava.

Winfred Nash – who is not present has a MBA from Duke University and is also a V.P. and General Manager of BWXT.

Cecil Wooldridge – who is not present is a retired supervisor for Central Virginia Electric Cooperation.

Walter Hancock – graduate of Va. Tech and is a retired V.P. of Wiley & Wilson.

He is **William (Bill) Slagle** – a graduate of Va. Tech, a civil engineer, U. S. Army, worked for DEQ, was Manager for the Town and County for a few years, and knows first hand the water problems of the County and Town, is currently a manager for Grief Corporation, responsible for water systems, waste water system, landfill operations and laboratory operations.

Mr. Slagle said he wished to comment on the newspaper article. He congratulated Chad Millner for the nice article. There two (2) questions that really need to be answered in their opinion. That is, "Is the existing well system within the Town adequate to serve the town and the community for the future?" The IDA say the answer is "NO". Secondly, "Does the Concord Waterline offer the best alternative to our existing well system." The IDA believes that it "DOES". There are a number of technical and economic reasons why they say so. Those reasons are largely included here. He will say that the IDA has worked extremely hard to attract industry into Appomattox. He has been living in the County for long time about 60 years. He grew up on a farm on the southside. He has no interest or does any other member of the IDA, other than helping the County make a fact based decision because there is a lot of information that is not well understood by the average citizen. He will say that he knows about the response to one comment that was made regarding the 10-12 industries that Mr. Spencer had referred to. The process goes: the State Dept. of Economic Development will receive a request which will be referred to Region 2000 who will then contact those communities that have the resources or infrastructure to be candidates. Many of these are referred to us, because we are not meet the criteria for a public water supply. Many industries simply will not locate in localities that a solely reliable on a well system. There were a number of comments, but he cannot recall all of them. The identity of these potential candidates for industry are highly confidential and general do not want their names know until they have made a decision. We respect that. We have numerous inquiries, companies that would have amounted to major dollars. He and other members of the IDA have spent many dollars in going to meetings and they have never billed the county for one cent for entertaining potential prospects, going to

meetings, gas money, etc. He is telling you this because he wants everyone to know that the IDA members are taxpayers too. They volunteer their services and it bothers him that they get accused of all problems, when we all want the same thing.

Mr. Lewis stated that the fact is that the residential taxes will not support local government. Without business and industry we will face higher personal property and real estate taxes. The reason for getting this infrastructure into place is to allow business and industry, business includes tourism, hotels, restaurants, theme parks. Nothing will come here outside the town limits, of which there is little left, being dependent on a well system. The taxpayers cannot afford not to have this development and this is the primary reason we have become a "bedroom" community.

Mr. Hancock spoke about the comment about the county spending 9 million dollars. At the last report, Appomattox was going to spend about 4.7 million dollars. Campbell County Utilities Department will put the waterline to Concord, regardless of whether or not Appomattox participates. The service authority can only function on user fees. The people who use it be the people to pay for it.

Mr. Conner commented that the price listed in this study for Appomattox County has not been negotiated and so this is not the final price. It could be significantly less.

Mr. Carter thanked the IDA for their participation.

Kevin H. O'Brien - He is one of those who left the County and came back. The population of Appomattox County has not changed significantly in 4 years. Does anyone know how much water does this county actually use. He knows that the Town has some idea on theirs, but he is interested in knowing about how much water the County uses. We had a drought a couple of years ago and that scared a lot of people. He has some reports from a local well driller. The town has eighteen (18) wells producing almost 800 gallons per minute and that is nothing compared to how many wells there are in the County. The Appomattox River was considered as a possibility for water. The statement was made regarding aquifers in the County. He has talked with the Danville Water Authority and was told that there were aquifers everywhere. No one knows everything about this county. Farmville businesses are using wells to supply their water. They also draw water from the Appomattox River. How much water does the industrial park need. He thinks they should drill wells and if and when they need a larger water supply then maybe they can justify a waterline from Lynchburg. He does not think that the sharing of a waterline with another county is in the best interest of Appomattox County. He suggests that the Town relinquish its water system to a PSA and take the politics out of it. The county should use the resources we have in the county. He would venture to ask anybody on either of these Boards that has been to Fred Jones, who has been in the well business for years, to ask him about this. Mr. Jones knows more about there the water is in the county than anyone he knows. We need to utilize the resources that we have in the county.

Earl Pickett: Mr. Pickett is representing the Farm Bureau which includes about 1100 members. As he sees it about 90% of the people are against the waterline. They feel

that the waterline will serve the 460 West area, not the town, and not a feasible plan at this time.

Sue Lawson: She agrees with Mr. O'Brien that we need to talk with someone like Mr. Fred Jones and see how the wells are before we bring this line in. AS for the industrial park, we have had only two (2) business in there for the last several years. That speaks for itself.

Fred Jones: There is plenty of water here, if we get into the right areas. On Route 703 there is a lot of water veins. That would not be too far to bring it. It may be a conflict of interest but he had always treated the town fair. In fact, he sold them two wells that were on his own property. The quality of the water from Lynchburg is not very good, and it will decrease. When he goes to Lynchburg to eat, he always drinks coffee. Memphis, Tenn. eight (8) years ago, had 181 wells. If our taxes keep going up, people will leave the county.

Lee Munsick, Piney Ridge Road, Appomattox, VA: Mr. Slagle made the comment that there seemed to be a lack of information regarding this concept. He would like to ask all you gentlemen, "Who do you blame for that?" We have never received any kind of information. All we get is what we hear from the other speakers and what is in the newspapers. No newspaper can cover the kind of information that is required for people to make decisions on. You are trying to make a decision that is of huge importance to the taxpayers of this county, and he does not think even you have all the information either. There is no doubt that people will benefit from this, especially the landowners, businessmen and developers along route 460 west. Why should the people all through the county have to pay for this. He cannot understand how the people in the county will not be paying for this project through taxes. As he understands it, the citizens of the county will pay of this project and pay through the nose.

Mr. Hancock explained that the Service Authority does not have the taxing ability. The Service Authority sets up, that area of service will be marked out, they will only serve the area that they are charging, and will only charge those that use the water. Their entire means of support is from users.

Suzie Krantz, 1905 Hummingbird Lane, Appomattox, VA. She understands from the paper that the people who use the water will be the ones paying for it. She does not have any problems with that. What she wants to know is, where is the money coming from to put the waterline in? Are homeowners and landowners going to have to pay more taxes to pay for a waterline that they will not be using? She believes this is what is upsetting to everyone. She does want to see Appomattox progress and do well. Is there some grant funds that will pay for this, if not, just how does the County expect to pay for this waterline.

Mr. Slagle informed everyone present that in 2002 the Governor issued an Executive Order #39 requiring every community to develop a water supply plan in response to the drought conditions at that time. Appomattox did develop this plan and once this regional plan is developed, it does meet the qualifications for grants and low interest loans. In many cases, this is the way these project are financed.

Mr. Armbrust addressed Ms. Krantz' questions. If the PSA goes out and borrows the money to do the public water and if they cannot fund the project, it does not drop back on the county.

Charlotte Munsick, Piney Ridge Road, Appomattox, VA. She has some concerns about the businesses that cannot be identified. If we should be able to supply them with the required water supply, do you have any feeling that they actually move their business here. It seems to her that the major concern or complaint is about a waterline bring the water from someplace else, as to whether or not we would trust someone else's water, as we have good water here. There has been talk in the past about a reservoir, why not float bonds to create a reservoir which would perhaps supply our water needs, keep our water here, but supply enough water for the businesses that you would like to see here in town. This would also provide water for tourism, which she thinks our town is really made for. This way, anyone who wanted to help with the progress of our community, could buy bonds and be a good investment as well. You would get your water, we would have our water and maybe that would help settle this problem. A reservoir in the eastern part of the county might be the answer. This is something to think about.

Mr. Slagle wished to clarify the belief that we were disqualified from the prospects lists mainly because of the water situation. We may not have qualified, even if we did have adequate water. The high cost of a reservoir, operating a filtering system, the need for highly qualified employees, made it unattractive.

Mr. Hancock stated that we had only one place to put a reservoir was on the Appomattox River. The cost of putting in the reservoir, putting in the filtration system, and laying the lines from the river to the town, the numbers was around 14-15 million dollars. We are not talking about getting water at a cost of 4.2 million dollars. Would you rather spend 4.2 million dollars for water or 14-16 million dollars.

Ms. Harris stated that one of the things with the regional line is the available of grants is based on the cooperation of other entities, so if you have a grant application with a cooperative effort between the town and the county, you are much more likely to get the grant. If you are going out on you own, your chances of getting the grant money goes down. The PSA could borrow the money and not involve tax dollars at all. There is no one group of people who would like to have the industrial park full of businesses, than this group of people sitting right here.

Mr. Conner made some comments on his experience at BWXT. When they started having trouble with their wells, and they were pretty deep, it became clear to him as the general manager that they were going to put a lot of people out of work if they did not do something about their water supply. Some would say that you were right on the James River and could get water from there. No you could not, you have to have a better system than that. They came to the conclusion of what they were going to do to protect their interests. In his case, it was to protect everyone on the job. The only solution he could come to was that he needed city water. They did, in fact, get city water. He can speak from experience, because he did go to the State of Virginia and

got the money to put the waterline from the Campbell County line to service the three industries that are on Mt. Athos Road. We should not be too short-sighted. Appomattox County is probably the only county around us that does not have a water system and a PSA. They saw a need for water and they had a vision that this was the only way these counties were going to grow. He thinks Appomattox is got to have this same vision. We will not make it without water. The only way to cut our tax bills is to have industry that supports the system. That is the issue.

Sue Lawson asked what the possibility was of connecting to the town system.

Fred Jones talked about drilling wells for Thomasville facility.

Emmitt Knight asked how would we control the cost of getting water from Campbell County? Can we negotiate a long term contract?

Kevin O'Brien stated he did not dispute the need for a PSA, he thinks there is too much politics in the system we have right now. We are too many years behind times.

Tim Matlack, 1607 Blackberry Lane, Appomattox, VA: He referenced Mr. Conner's statement about negotiating a long term contract. If we should have a cost adjustment increase on a monthly basis, what happens if the amount of power and fuel it takes to run this operation goes through the ceiling, isn't there such a thing as "fuel adjustment costs and operating costs" that will be added on the their bills. How you can tell them there will be a fixed rate.

Mr. Overstreet stated that you negotiate a contract over a long period of time. This will depend on the locality you are dealing with and how they are willing to bargain with us. They may say we are going to charge our citizens according to these factors, which may include increased prices because of fuel cost, etc. and we will charge you the same rate. This is all a part of the negotiation process.

Mr. Coviello would like to ask some questions regarding the PSA after the close of the hearing.

At 7:22 p.m. Mr. Carter closed the Public Comments Session.

At 7:35 p.m. Mr. Carter stated the need to hold a short Board Meeting and reconvened the meeting.

Mr. Carter introduced Ms. Jillian D. Mitchel who has a proposal for the use of the old courthouse building.

Ms. Mitchel stated she is the owner of the Appomattox Gallery and the Appomattox Tea Room located in the old hardware store building and also the Longacre Bed and Breakfast on Church Street. She is sincerely interested in leasing the old courthouse building. Her primary vision for this building would be to create a venue for a theater. This would be a place where local talent could be expressed for mystery and historical dramas, and other historical era plays. In addition she would like this building to

provide a convenient location for quality craftsmen and performing arts such as drama, music and dance. She feels this would greatly benefit our community by providing a location for these residents to participate in serious productions as well as quality craftsman. Ms. Mitchel provided a handout for the Board's review.

Mr. Craft asked how much change she expected to make in the courthouse?

Ms. Mitchel stated she would like to paint the columns on the outside and entrance white. The stage area would be a floater hardwood floor. New toilet and sinks for the Judge's Chambers. She would have fulltime carpenters and electricians. She would leave the Judge's Bench area as it is.

Mr. Conrad asked since she would be leasing the old courthouse building, and basically all the work that needs to be done to make this an operatable situation, you would be responsible for completing any work that needs to be done.

Ms. Mitchel agreed but she would like to Board to take care of the roof. She also needs to check on the requirements for the handicapped under the Americans Disability Act.

Ms. Ferguson stated that if each party is interested the next step would to get Ms. Mitchel, Mr. Roark, and Ms. Dixon together to work out some terms and really put some specifics to what would be included in the lease.

It was the consensus of the Board to have Ms. Ferguson meet with Ms. Mitchel and also have Mr. Overstreet to move forward with the preparation of a lease agreement.

Mr. Carter stated the next order of business was the **WATERLINE PROJECT:**

Over the last thirty (30) days we have had lot more information come before us. We have had our own IDA members to comment and the proposed 460 waterline from Concord. We have also now held a public comment period to let the citizens provide input on this subject and we are now at the stage where we either start instructing our county administrator to begin negotiations with Campbell County PSA or we do nothing.

Mr. Craft feels we need to move forward and make a decision and not be tied down with this issue any longer.

Mr. Conrad agrees that we need to move forward. We will not be able to attract business and industry here if we do not have an ample water supply.

Mr. Armbrust stated we have heard a lot of complaints and a lot of people have expressed their opinions. The IDA has done a great job. Some people want us to remain a "Bedroom Community" and do not want any growth. There are others who do not want the increase in taxes and we need the waterline to attract industry to have a better tax base. He feels we need to answer a few more questions, such as, are we going to do it by ourselves or with the town. He feels that would have to be decided before he can agree to move forward with negotiations.

Mr. Carter cannot add any more to what the others have said. He would like to thank the IDA for coming tonight and presenting factual information to the public. This has been quite an ongoing experience and without a doubt in his mind he can fully support it.

Mr. Craft asked what we were going to do about the misinformation. Some people are still talking about the James River option. He is in favor of the PSA if the taxpayers do not have to pay for it.

After further discussion Mr. Craft made a motion, seconded by Mr. Conrad, to support the moving forward with the negotiation process with Campbell County and the Town of Appomattox for the laying of the 460 water line and for the formation of a PSA. VOTE: Mr. Armbrust, nay; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (3 aye votes – 1 nay)

The next item for discussion is the Health Insurance Premium Rate effective October 1, 2006.

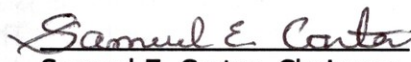
Ms. Ferguson informed the Board that the Insurance Rates actually decreased this year. There has been some discussion concerning the ability of maintaining the same premium and putting that additional money aside because we are confident that next year the rates will increase dramatically. After considerable discussion, we have determined that the better avenue was to go ahead and reduce the rates, which would make the county's contribution towards the employees premium \$307.92 vs \$334.84 you are paying now.

At 8:03 p.m. Mr. Carter called for a short recess.

At 8:08 p.m. Mr. Carter reconvened the meeting and stated the next item for discussion was office space for the County Administration Office.

Ms. Ferguson said that this had been talked about for some time and she has drawn a little sketch if anyone wishes to look at it. All of us have understood that our office need to move upstairs where we can have use of the entire upper floor in our present building. She will be talking with Mr. Overstreet, concerning an architectural firm that would come in and draw up the plans for the demolition work that needs to be done and also draw up basic changes that will need to be incorporated upstairs in order for it to work for us. We would then move forward with getting a contractor. At one point, we had a figure of around \$12,000.00. That was just a general figure that did not include doing anything to the bathroom facilities. She would estimate it would cost around \$20,000.00. She just wanted to bring everyone up to date and hopefully, in a few months we could move upstairs.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes)


Samuel E. Carter, Chairman

On Wednesday, July 5, 2006 at 6:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing on the Proposed County Vehicle Ordinance at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John O. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:00 p.m. Mr. Carter opened the public hearing on the Proposed County Vehicle Ordinance. Mr. Carter asked Mr. Overstreet to give a brief overview of the proposed ordinance.

Mr. Overstreet began by stating that this proposed ordinance would repeal the existing County License Tax on Motor Vehicle Section of our code and amend it to put in new provisions. One purpose in this is to eliminate the County Decal at some saving to the County. In order to accomplish this, the preferred method is to put our license tax collection date as the same date as we collect personal property taxes. If a person has not paid their personal property, or has not paid the license fee for a motor vehicle that is in Appomattox County, it would be reported to DMV and that person would not be able to obtain a State License. It is a great incentive for our citizens to be paying the personal property taxes as well as the license fee on vehicles.

The County Fiscal year is from July 1 to June 30, the calendar year on which we collect our taxes goes from January to December and we have a third year that goes from April 1 to March 31 which is our decal license year, this is quite confusing. This change will put the collection back on December 5th. In doing this, we will have our license fee paid for a calendar year and there will be no longer March 31 to April 1.

In order to put this into effect, for the first year, we will only be collecting three-fourths of the license fee, that is because citizens who pay their license fee on March 31 of this year are now paid through March 31, 2007. When we put this into effect and begin collection on December 5, 2006, if we collected for a whole year, we would be double taxing for those who have paid the license fee for those three (3) months. What we will be doing is reducing the fee for 2007, by that three (3) months. (\$18 for motor vehicles and \$17 for motorcycles). Thereafter, when one pays on December 5, 2007, you will pay the full fee and pay your license the year 2008. Another twist to this is, and this is

what Campbell County did, and this is the only method we can use without losing an entire year of collecting the fee. The way the ordinance is written there is an assessment of your motor vehicle which is subject to the license fee – January 1 of this year (2006). You will pay your tax on December 5, 2006 but this will license you for the year 2007. The alternative to that is if we had waited until 2007 we would have lost the entire year's license fees, which the County could not afford to do. The elimination of the decal will save the County a considerable amount of money by not having to have the decals printed up.

Mr. Carter thanked Mr. Overstreet and asked if anyone wished to make comments on this ordinance change.

Having no one to speak, Mr. Carter closed the Public Hearing at 6:08 p.m.

Samuel E. Carter, Chairman

On Wednesday, July 5, 2006, the Appomattox County Board of Supervisor's held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, in Appomattox, Virginia.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
Johnnie Roark – County Planner
John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation after which everyone joined in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

6A. Procurement Procedure for small purchases.

Mr. Carter next called for the **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

Ms. Julia Hawkins of Piney Mountain Road: Ms. Hawkins wishes to address the Board in regards to Biosolids. She has a neighbor behind her who is spreading biosolids

and she used to have deer, rabbits, other wildlife in her yard and now she has none of them. The property beside her used to be luscious green grass, it is now gray and yellow. He has put so much biosolids down, that she is wondering how much has polluted the water table and is the water safe for her to drink. She is also concerned is "is this cheaper than fertilizer?" And if this is as good as they claim it is, why don't they keep it where they are bringing it from. She feels like they are killings us in disguise. We do not know what is going on? It should be that when they use this stuff, they should notify their neighbors around the property they are putting it on.

Mr. Carter moved to the next item on the agenda.

ADMINISTRATIVE ITEMS: (Items 1-6)

1. **Planning Commission Recommendations:** Planning Commission recommendations from the June 19, 2006 public hearing. The Planning Commission recommends to approve Amendment to **Petition #05-551 – Appomattox Anglican Church** for a Conditional Use Permit to expand their private religious school.

Mr. Conrad spoke on behalf of the petition. He thinks this is something will be very good for our County. He has heard nothing but positive comments and obviously based on the information that we have received, this will give the county some diversity in the education field. He is fully in support of this petition.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve for reason of public necessity, convenience, general welfare and good zoning practice the **Amendment to Conditional Use Permit Petition #05-551 of the Appomattox Anglican Church** to allow the expansion of the private religious school on Route 635 (Redfield Road) between Route 460 (Confederate Blvd) and Route 1001 (Lee-Grant Avenue), Tax Map #76(A)158 and is approximately 6.19 acres and zoned A-1, Agricultural District. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Adoption of Revisions to Various County Ordinances and Fee Schedules:** A public hearing was held on June 29, 2006 to receive comments on the proposed changes to various County ordinances and fee schedules.
 BIOSOLIDS MONITORING ORDINANCE
 INDUSTRIAL DEVELOPMENT AUTHORITY
 BUILDING CODE
 SOLID WASTE CODE
 ANIMAL ORDINANCE
 FEE SCHEDULE

Mr. Craft made a motion, seconded by Mr. Conrad to approve the **BIOSOLIDS MONITORING ORDINANCE** as follows: The Health Department will allow localities to recoup the cost of monitoring the land application of biosolids so long as the locality has adopted a local ordinance stating such. This ordinance lays out the framework for monitoring the land application of biosolids and then what procedure shall be followed for reimbursement. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Moore made a motion, seconded by Mr. Armbrust, to approve the **INDUSTRIAL DEVELOPMENT ORDINANCE** as follows: Title of Chapter 25 and Section 25-2 to change the name of the organization to **Economic Development Authority**. This change will more clearly reflect the purpose of the organization. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the amendment of **Chapter 51 – Building Construction, Appomattox County Code** as follows: to formally adopt the Uniform Statewide Building Code (2003) and the Statewide Fire Prevention Code (2003). Ordinance would change the name of the department from Office of Building & Housing to **Office of Building Inspections**.

Mr. Moore made a motion, seconded by Mr. Craft, to approve amending **Chapter 139-Solid Waste, Appomattox County Code**, to update language in the following sections:

- Section 139-3 (A) add the words *bags of*
- Section 139-4 (B) change twice to *once*
- Section 139-4 (C) (2) change one hundred dollars (\$100.00) to *two hundred fifty dollars (\$250.00)*
- Section 139-7 (A) (1) (b) amend to read: *Passenger, truck tires, farm tractor tires, and heavy equipment tire will be billed by the ton according to current Emmanuel Tire charges.*
- Section 139-7 (F) change two (2) tons per month to *six (6) tons per year.*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Moore made a motion, seconded by Mr. Craft, to approve amendments to **Chapter 44 – Animals, Appomattox County Code**, to update license tax amounts and add language concerning the adoption of dogs from animal shelter.

- Section 44-2(A) adds separate tax for spayed and neutered dogs (\$4.00) and increases the tax for all other dogs from \$4.00 to \$6.00.
- Section 44-2 (C) adds tax for kennels of thirty (30) dogs (\$35.00)
- Section 44-2 (D) adds tax for kennels of forty (40) dogs (\$45.00)
- Section 44-2 (E) amends the tax for kennels of fifty (50) dogs (\$50.00)
- Section 44-2 (G) adds requirements for the adoption of dogs
- Section 44-2 (H) amends the tax for claiming a licensed dog from \$1.00 per day to \$5.00 per day, deletes *not to exceed five dollars (\$5.00)*, amends tax for claiming an unlicensed dog from five dollars (\$5.00) for the first day to ten dollars (\$10.00) for the first day, and deletes *not to exceed ten dollars (\$10.00)*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Conrad made a motion, seconded by Mr. Craft, to approve changing various **Fees to be charged by the County for development services.**

Administrative fees - Department of Community & Economic Development:

Plat Review/Approval:

Minor Plat of one (1) to four (4) lots	\$25 +\$5/lot
Major Plat of five (5) or more lots	\$50+\$10/lot
Boundary Line Adjustments, re-survey's vacations, all others	\$25
Site development plan review	\$100+\$10/ac

Zoning Permit	\$25
Certification of Zoning Compliance	\$25
Home Occupation Permit	\$25
Junkyard License	\$35/year
Sign Permit	\$25
Antennae/Tower Permit	\$250

Petitions to the Board of Supervisors:

Board of Zoning Appeals (appeals and variances)	\$200
Conditional Use Permit	\$200
Rezoning	\$300

Publications, etc.

Comprehensive Plan	\$35+postage
Zoning Ordinance	\$20+postage
Subdivision Ordinance	\$12+postage
Combination Zoning and Subdivision	\$25+postage
Street Map	\$5
Bad (Returned) Check	\$40

E-911 services Initial Street Address Placard

No charge	
Replacement of Street Address Placard	\$30
New Road Range Assignment and Street Sign	\$150+ cost of sign & hardware

Office of Building Inspections – Department of Community & Economic**Development:**

<u>Type</u>	<u>Per Square Foot Charge*</u>	<u>Minimum Charge</u>
New residential construction	\$0.15 per square foot (psf)	\$100 minimum
Commercial construction	\$0.12psf	\$100 minimum
Attached accessory structures	\$0.12psf	\$75 minimum
Detached accessory structures	\$0.12psf	\$75 minimum
Residential Addition	\$0.15psf	\$75 minimum
Mobile Home; single wide		\$100
Mobile Home; double wide		\$150
Modular Home	\$0.15psf	\$100 minimum
Electric		\$50
Plumbing		\$50
Additions	\$0.15psf	\$50 minimum
Mechanical		\$50
Demolition		\$50
Re-inspection		\$25
Antennae/Towers		\$100
Refund		\$30

*All projects will be priced on a per square foot basis where applicable. If the fee calculation is less than the minimum charge, then the minimum charge will apply, if greater than minimum charge then the fee will be as calculated per square foot. If no per square foot charge is shown, then the minimum charge applies.

**A 1.75% state levy fee will be added to the total of all permits.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Country Haven Estates Funding Request:** Phillip T. Jones, President of Country Haven Estates Home Owner's Association, is requesting 100% funding on the next section of Chestnut Mountain Road. They have been receiving 50% funding from the State and they have been paying 50% from the Home Owner's Association. Staff recommends forwarding this request to VDOT for consideration and to see if it qualifies for 100% funding from the State.

Mr. Craft recommended that we forward this to VDOT and let them make a decision on this request.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to forward the request from Mr. Jones, Country Haven Estate Home Owner's Association to receive 100% funding for the next section of Chestnut Mountain Road. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Request for Speed Reduction on Pumping Station Road:** At the regular meeting held on June 5, 2006, a request was made that the speed limit on Pumping Station Road be reduced to 45 MPH. The request was forwarded to VDOT for consideration.

Mr. Conrad stated he appreciates the effort Ms. Ferguson made on this request. He disagrees with the results of this evaluation based on the amount of construction going on right now. There is a lot of traffic on this road and they are saying the sight distances are such that you can see far enough away that it shouldn't create much of a hazard but nevertheless, it has become semi-residential and residential areas are 25 MPH and yet they are saying that the speed samples obtained would indicate that the 85th percentile speeds for this section of roadway is 57 MPH. For the people who live around there they are just not satisfied with vehicle going fast and weaving in and out of traffic. Based on what VDOT did, we have to accept their findings and he will pass this along to the people who have requested this change in speed.

Mr. Carter stated that we can request the local State Police headquarters to monitor that traffic on Route 691.

5. **Lynchburg Regional Airport Funding Request:** Rex Hammond recently gave a presentation concerning funding for the Lynchburg Regional Airport. They have written a letter requesting that the County pledge \$3,292.00 in the FY07 budget to help restore the link to Dulles.

Mr. Craft asked the question of just how many people from Appomattox would fly to Washington D. C. The only people he knew of that might use this flight on a regular basis would be personnel from Thomasville. Mr. Carter stated that he has talked with several people from Thomasville and was surprised to hear that they do utilize the Lynchburg Airport a great deal.

After a brief discussion, Mr. Carter suggested that we hold this request for the next budget year FY08.

Mr. Overstreet asked if this would possible be something that the EDA may want to take a look at, as they are trying to entice business to Appomattox County.

6. **NACo's 2007 Annual Conference Donation Request:** James Campbell, Executive Director of VACo is requesting that we contribute to the 2007 NACo Conference to be held in Richmond.

Mr. Carter informed everyone that we do not belong to NACo. We are however a member of VACo, through which we have ties with NACo.

It was stated that one option would be that we may want to send Ms. Dixon, Tourism Director, to this conference to set up an exhibition booth to display flyers, brochures, etc. showing what Appomattox County has to offer visitors.

Ms. Ferguson stated that the theory was that some of the people attending this conference in Richmond would be traveling through Appomattox would have the opportunity to eat, purchase gas, visit some of the attractions, etc. This is why they feel like it is a statewide project.

- 6B. **Procurement Policies:** At a previous meeting there was some discussion concerning our Procurement Policy for small purchases. The County Attorney and Ms. Ferguson had different views on the policy presently in place as to whether is it valid policy. In order to resolve our issues, he has drafted a new policy for the Board to Adopt.

PROCEDURE FOR PROCUREMENT OF SMALL PURCHASES

1. Small purchases are defined as single or term contracts less than \$30,000.
2. For the necessary small purchase of goods and services up to \$500 County Departments are encouraged to purchase equally from all firms over time and use competition as practical.
3. For the necessary small purchase of good and services from \$501 up to \$5,000 County Department may verbally acquire at least three (3) bids.
4. For those approved small purchases of good and services from \$5,001 but less than \$30,000, County Department shall develop a written proposal or bid form and without advertising acquire at least three (3) bids in writing.

There was some discussion regarding the Departments keeping records of those bids received verbally.

Mr. Craft made a motion, seconded by Mr. Moore, to adopt the Procurement Policy for Small purchases as stated above. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:** (Items 7- 12)

7. **Approval of Minutes:** Please approve minutes of Joint Meeting with Town on May 30, 2006; Meeting with County Planner on Proposed Ordinance Changes on June 5, 2006; Regular Meeting on June 5, 2006; Public Comment Session on Waterline of June 14, 2006; Public Hearing on Proposed Ordinance Changes on

June 19, 2006; Joint Meeting with Planning Commission on June 19, 2006; and Joint Public Hearing with Planning Commission on June 19, 2006

8. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

9. **Sheriff's Department:** Please appropriate by consent and supplement \$114.69 to the Sheriff's Overtime line item in the FY2007 budget for reimbursement received for Barry Letterman working overtime at the Middle School.

Please appropriate by consent and supplement \$3,102.00 to 3102-5804 Triad Donations carried forward to FY2007.

10. **Library:** Please appropriate by consent and supplement \$1,403.54 to 7301-5415 in the Library budget for carry over funds in the Summer Reading Program. This funding comes from donations made for the purpose of supporting summer reading.

Please appropriate by consent and supplement \$476.17 to the following line items in the Library FY2007 budget:

7301-5401	\$371.03
7301-5411	90.09
7301-5414	15.05

FUND TRANSFER:

11. **Community Park/Sports Complex Fund:** Please transfer by consent \$5,990.00 from the General Fund into the Sports Complex Fund for a grant that was received from the forestry department.

12. **Asset Forfeiture Account:** Please approve by consent and appropriate \$4,140.00 from the Sheriff's Asset Forfeiture Account to purchase a vehicle for use with the drug program.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

13. **Appomattox County Parks, Recreation & Tourism Department:**
Ms. Dixon's report for June 2006.

14. **Nutri-Blend, Inc. Biosolids Land Application:** Notice has been received from Nutri-Blend, Inc of their intention to apply biosolids to various sites in the County between October 10, 2006 and October 10, 2007.

15. **Agenda Town of Appomattox:** Agenda for Town Council Workshop on June 27, 2006.

16. **Robert E. Lee Soil & Water Conservation District:** Minutes of the Board of Directors meeting of the Robert E. Lee Soil & Water Conservation District held on May 25, 2006.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Craft gave a report on the last meeting of the Rails to Trails in Farmville last week. The idea is now from Farmville to Rice and Farmville to Prospect. They are having trouble with the railroad tracks. They are getting ready to hold public hearings with the adjacent land owners.

Mr. Carter read the following letter of appreciation for Mr. Martin, Appomattox County Animal Warden from the Humane Society for Campbell County, Inc. We as a Board should be proud to receive this letter.

June 28, 2006

Dear Mr. Martin

On behalf of the volunteers with The Humane Society for Campbell County, Inc., I wish to thank you and the Appomattox Board of Supervisors for allowing Animal Control in Campbell County to board dogs from the county in your new facility for the past two months while our own facility has been renovated.

It was a pleasure meeting you and helping save several of your dogs, as well as Campbell County's dogs, while I was there, and I am very grateful that you were willing to work with me.

As a humane society representative whose main goal is to save the lives of the dogs in our care, it has not been easy keeping up with the dogs who were housed at Appomattox, while also watching out for the dogs in foster homes across the area. However, I think we have done a good job of caring for the dogs who had no other place to go, through your generosity. I am most appreciative of the fact that we were using valuable space which can soon be given over to the dogs from your own county. Many, many thanks. If I can be of assistance to you in the future, please don't hesitate to call on me.

Sincerely Yours,
Barbe M. Shackelford
Dog Adoption/Rescue Coordinator

Mr. Carter next reminded everyone of **UPCOMING MEETINGS:**

July 17, 2006

6:30 p.m.

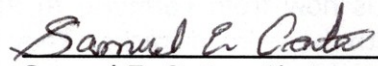
**REGULAR SCHEDULED MEETING
COMMUNITY CENTER**

AUGUST 7, 2006

6:30 P.M.

**REGULAR SCHEDULED MEETING
COMMUNITY CENTER.**

At 7:10 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Monday, July 17, 2006, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order, welcomed everyone present and asked Mr. Moore to give the invocation after which he asked everyone present to join the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

There were several items to be added:

- 7A. Old Courthouse Inspection and Court Hearing**
- 7B. Girl Scout Troop/Community Park**
- 7C. Balance Transfers End of Year**
- 7D. Law Library Expenditures**
- 7E. Negotiating Team**
- 7F. Jillian Mitchel Proposal**
- 19. Closed Session - Personnel**

Mr. Carter then called for the **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There was no one present who wished to speak at this time.

Mr. Carter then presented the **ADMINISTRATIVE ITEMS:** (Items 1-7)

1. **Planning Commission Recommendations: CUP06006 – Terry and Kim Wright:** The applicants are requesting a Conditional Use Permit to locate a Trailer Sales business on property located on Richmond Highway, west of the Town of Appomattox. The proposed location is at the intersection of Matthews Road (Route 1045) and Richmond Highway (Route 460) and fronts on Route 460 for approximately 125 feet. The applicant proposes to develop a sales lot that will feature horse, car and utility trailers. The site will consist of approximately 3,200 square feet of display area toward the front (Route 460 side) and will have a small office trailer located behind the display area. The proposed use does not include a provision for the sale of manufactured homes. The rear half of the lot will remain vacant.

The Planning Commission voted to recommend approval of CUP06006 for Terry and Kim Wright with the following conditions:

1. The proposed development shall be in general conformance with the concept plan submitted with the application.
2. The sale, storage, or rental of manufactured homes is prohibited.
3. All exterior lighting fixtures shall be arranged, directed, and shielded downward so as not to reflect any glare outward towards adjoining streets or properties. At no point shall the glare from these lights exceed 0.5-foot candle power at the property lines.
4. A 25' buffer area shall be incorporated along the entire length of the western and northern property lines. Buffer area shall comply with the screening requirements found in Section 170-53 of the zoning ordinance.

Mr. Conrad made a motion, seconded by Mr. Armbrust, for reason of public necessity, convenience, general welfare, and good zoning practice, to approve the Conditional Use Permit – CUP06006 – Terry & Kim Wright with the following conditions:

1. The proposed development shall be in general conformance with the concept plan submitted with the application.
2. The sale, storage, or rental of manufactured homes is prohibited.
3. All exterior lighting fixtures shall be arranged, directed, and shielded downward so as not to reflect any glare outward towards adjoining streets or properties. At no point shall the glare from these lights exceed 0.5-foot candle power at the property lines.
4. A 25' buffer area shall be incorporated along the entire length of the western and northern property lines. Buffer area shall comply with the screening requirements found in Section 170-53 of the zoning ordinance.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Construction Contracts Relating to CVCC Satellite:** Bids for three separate projects were opened on Friday, June 17, 2006. The apparent low bidders were as follows:

CVCC Renovation Project:

J. E. Jamerson & Sons, Inc. \$269,400.00

Roof Replacement Project: (3rd Grade Wing and original Carver-Price Building:

John T. Morgan Roofing Co. \$143,136.00

Carver-Price Museum Window Project:

J. E. Jamerson & Sons, Inc. \$ 29,880.00

Staff recommends that the apparent low bid be accepted for each project and that the County Administrator be authorized to sign a contract for each of the three projects, subject to review by the County Attorney, Mr. Overstreet.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Moore, to approve the accepting of the low bids on the three projects at the old elementary school and authorize the County Administrator to sign contracts for each of these projects subject to review by the County Attorney. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. County Vehicle License Ordinance:** A public hearing has been held and all is in order to adopt the proposed County Vehicle License Ordinance.

Mr. Carter stated that there were no objections to this Ordinance at the Public Hearing.

Mr. Moore made a motion, seconded by Mr. Craft, to adopt the proposed County Vehicle License Ordinance as recommended and repeal the present Ordinance.

APPOMATTOX COUNTY CODE

Article II

County Vehicle Licenses

Repealed §162-8 – §162-19

[By ordinance of Board of Supervisors July 17, 2006.]

§162-20. Vehicles required to be licensed – Situs; student owners; grace period.

- (A) Every person who shall own or lease a motor vehicle normally garaged, stored or parked in the County shall pay an annual County License fee for such vehicle, as required herein.
- (B) Persons who establish residence in the County during the license year shall comply with the provisions of this article within thirty (30) days subsequent to establishing such residence.
- (C) The situs for the imposition of licensing fees under this article shall in all cases, except as hereinafter provided, be the locality in which the motor vehicle is normally garaged, stored, or parked. If it cannot be determined where the personal property is normally garaged, stored, or parked, the situs shall be the domicile of its owner. In the event the owner of the motor vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he has paid a personal property tax on the motor vehicle in his domicile.

§162-21. Assessment of license fee

- (A) There is hereby assessed to any person owning a motor vehicle normally garaged, stored or parked in Appomattox County on January 1st of each year a Appomattox county motor vehicle license fee.
- (B) The Chief of each volunteer fire department and volunteer emergency rescue squad will prepare and certify a list of active members of his department or squad who regularly respond to calls or perform other duties for the department or squad and who reside in the County outside the corporate limits of the Town of Appomattox. The certified list will include the complete name of each individual, his residence address, and the identification number, and description of the cars owned or leased by such active member and to be certified for exemption. Each individual so certified will complete the required application form, submit it to his chief who will attach all individual applications to the certified listing and submit to the Treasurer of the County. After reviewing and comparing the certified listings and applications with the personal property tax rolls, the Treasurer will exempt to each certified member two license fees without charge. No member of a volunteer rescue squad or volunteer fire department shall be issued an exception for more than two vehicles free of charge.

§162-22. Amount of fee – Passenger motor vehicles; trucks; motorcycles; transitional provisions for 2007 license year only.

- (A) On each and every passenger vehicle and truck there shall be an annual license fee of twenty-five dollars; and on each and every motorcycle, with or without a sidecar, a license fee of twenty-four dollars.
- (B) The amount of the license fee imposed by Appomattox county under this article shall not be greater than the amount of the license fee imposed by the Commonwealth on said vehicle.
- (C) **Transitional provisions effective for 2007 license year only.** Notwithstanding the preceding subsections, in order to adjust the amount of the vehicle license fee for the 2007 license year in recognition of the transition from the former March 31, 2007 due date for decals to the new December 5, 2006 due date for vehicle license fees, the vehicle fee for the 2007 license year only is hereby reduced such that the fee shall be eighteen dollars (\$18.00) on each and every passenger vehicle and truck, and is hereby reduced such that the fee on each and every motorcycle shall be seventeen (\$17.00). This subsection shall automatically expire on or before December 5, 2007 and all annual County license fees for the 2008 license year and section and such fees shall be payable on or before December 5th of each year, beginning December 5, 2007. All other license fees for vehicles not set out herein shall be adjusted in the same manner for license year 2007.

§162-23. Same-Exemptions and reductions.

The provisions of this article shall not be construed as to impose a license fee upon any motor vehicle when:

- (A) The motor vehicle is operated by a common carrier of persons or property operating between cities and towns in the Commonwealth and not in intracity transportation or between cities and towns on the one hand and points and places without cities and towns on the other not intracity transportation;
- (B) Antique motor vehicles and antique trailers, as defined in **VA CODE ANN** 46.2-100, registered and licensed by the State in accordance with **VA CODE ANN** 46.2-730a shall be exempt from the payment of the license fee levied under this article, provided that other conditions prescribed herein are met.

In order to qualify for exemption hereunder, an antique motor vehicle and antique trailer registered and licensed under **VA CODE ANN 46.2-730** shall not be used for general transportation purposes, including, but not limited to, daily travel to and from owner's place of employment, but shall only be used:

- (i) For participation in club activities, exhibits, tours, parades, and similar events; and
- (ii) On the highways of the Commonwealth for the purpose of testing their operation, obtaining repairs or maintenance, transportation to and from events as described in subdivision (i) of this subsection, and for occasional pleasure driving not exceeding 250 miles from the residence of the owner.

- (C) All fees collected pursuant to this article shall be deposited by the Treasurer in the general fund of the County.

§162-24. Payment of personal property taxes and license fee prerequisite.

- (A) No motor vehicle shall be licensed by the Department of Motor Vehicles until such applicant for such license has paid all personal property taxes and the licensed fee assessed hereunder upon the motor vehicle, to be licensed and until the Department of Motor Vehicles has been provided satisfactory evidence by the Treasurer of Appomattox County that any delinquent motor vehicle, personal property taxes or license fees which have properly assessed or are assessable against the applicant by the County have been paid.
- (B) No motor vehicle license shall be issued by the Virginia Department of Motor Vehicles unless the tangible personal property taxes properly assessed or assessable by the County on any tangible personal property used or usable as a dwelling, and owned by the taxpayer have been paid.
- (C) No motor vehicle license shall be issued by the Virginia Department of Motor Vehicles to an owner of a motor vehicle as to which a fee is required to be paid pursuant to this article qualified under the provisions hereof to a waiver of the fee until the applicant for such license or registration from the Department of Motor Vehicles has produced before the Appomattox County Treasurer, or his agent, satisfactory evidence that all personal property taxes upon the motor vehicle have been paid and satisfactory evidence of any delinquent personal property taxes due with respect to the vehicle which have been properly assessed or are assessable against the owner have been paid.

§162-25. License Year.

The license year with respect to which the fee required to be paid under this article is assessed shall be January 1 through December 31 of each year. The fee assessed under this article shall be assessed to the owner of each motor vehicle as provided in this article for motor vehicles owned January 1, of each year. The fee shall be payable on or before December 5 of each year and with respect to any fees not paid at that time, a twenty dollar fee to reimburse the County of Appomattox for costs associated with administration of the Vehicle Registration Withholding Program with the Commonwealth of Virginia Department of Motor Vehicles. The fee herein assessed will be based upon ownership of vehicles on fee day, that is, January 1 of each year, and the period for which the license is effective shall be January 1 through December 31 of the next ensuing year.

§162-26. Failure to pay license fee, personal property tax, etc: penalty.

- (A) In the event that the license fee required by the Article is not paid, or if any personal property taxes, properly assessed against such vehicle, are not paid on or before December 5 of each year, with respect to each owner or co-owner of any motor vehicle as to which the license fee has not been paid, or any personal property taxes have not been paid, the Treasurer shall mail to the owner/co-owner by First Class Mail notice of intent to request the Commonwealth of Virginia

Department of Motor Vehicles under the Vehicle Registration Withholding Program to deny his or her registration renewal with respect to the vehicle which is subject to the license fee or personal property tax herein. In the event of payment of that vehicle license fee and/or delinquent personal property taxes, the Treasurer shall provide to the vehicle owner/co-owner an approved numbered receipt that clearly indicate that the vehicle owner/co-owner has paid in full all outstanding local vehicle fees and delinquent taxes to the locality, together with the penalty, interests and administrative fee herein above set forth.

- (B) It shall be unlawful for any owner of a motor vehicle to fail to pay the local license fee or personal property taxes assessed with respect to each motor vehicle after December 5 of each year.
- (C) A violation of this section shall constitute a Class 4 misdemeanor and shall be punished by a fine of one hundred dollars (\$100.00)
- (D) A violation of this section by the registered owner of the vehicle shall not be discharged by prepayment of a fine or by payment of a fine imposed by the court except upon presentation of satisfactory evidence that the required license has been obtained.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. **Abandonment – Route 843:** When the original resolution to close Route 843 was adopted, the length of the part to be abandon was incorrect. VDOT has revised the resolution to show the proper figures.

After some discussion, Mr. Moore made a motion, seconded by Mr. Craft, to adopt the following resolution to abandon 0.45 mile of Route 843 in Appomattox County:

RESOLUTION

WHEREAS, Route 843 from 0.45 mile north of the intersection of Routes 663 and the dead end of Route 843 provides access to only two (2) property owners who have requested this abandonment, and

WHEREAS, the two (2) property owners have requested the aforementioned section of Route 843 be abandoned, and

WHEREAS, in accordance with Section 33.1-151 of the Code of Virginia posted a Notice of Intention to Abandon Route 843, 0.45 mile north of the intersection of Route 663 and the dead end of Route 843, three (3) days before the first day of a regular term of the Circuit Court at the front door of the Appomattox County Courthouse and published in a newspaper of general circulation in the county for two (2) consecutive weeks and a copy of said notice provided to the State Highway Commission, and

WHEREAS, no inquires or petitions for a hearing have been received,

NOW, THEREFORE, BE IT RESOLVED, that the portion of Secondary Route 843 as shown in red on the attached sketch, have a total of 0.15 mile be abandoned as a public road pursuant to Section 33.1-151 of the Code of Virginia of 1950, as amended.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 5. **Central Virginia Community Services FY2007 Performance Contract:**
Wayne Trent, Director of Administration and Finance for Central Virginia

Community Services is writing asking that you approve their Performance Contract for FY2007.

Mr. Moore stated that this is no different from what we have done every year as it is required by the State.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the FY2007 Performance Contract for Central Virginia Community Services. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Building Permit Refund Request:** Lonny Hamlett, Building Inspector, is requesting that you refund \$50.88 to Mr. & Mrs. James Lanham due to problems with their contractor.

Mr. Conrad made motion, seconded by Mr. Armbrust, to refund Mr. & Mrs. James Lanham \$50.88 for a building permit purchased and not used due to conflicts with contractor. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Appropriation Resolution for Fiscal Year 2007:** The Appropriation Resolution for FY 2007 needs to be adopted.

Ms. Ferguson stated that generally the Appropriations Resolution is adopted at the same time as the budget. However, this year the budget was adopted contingent on State funding, awaiting the approval of the State Budget. After reviewing the State funding, it appears everything is in order. Now we need to approve the Appropriation Resolution to complete the budget process.

Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following Appropriations Resolution for the Fiscal Year 2007:

COUNTY OF APPOMATTOX
APPROPRIATIONS RESOLUTION
FISCAL YEAR 2007

BE IT RESOLVED, that the Board of Supervisors of Appomattox County Virginia, hereby appropriates for the Fiscal Year commencing July 1, 2006 and ending June 30, 2007, from the funds, for the functions, and in the amounts indicated herein:

I. General Fund:

1101	Board of Supervisors	\$	236,689.00
1201	County Administrator		400,342.00
1204	County Attorney		36,500.00
1206	Independent Auditor		25,500.00
1209	Commissioner of Revenue		303,683.00
1210	Assessor/Reassessor		171,941.00
1211	Board of Equalization		8,612.00
1213	Treasurer		234,395.00
1301	Electoral Board/Officials		38,252.00
1302	Registrar		70,717.00
2101	Circuit Court		16,450.00
2102	General District Court		2,785.00
2105	Juvenile/Domestic Relations Court		2,926.00
2106	Clerk of Circuit Court		231,517.00

2107	Sheriff (Civil Server)	66,933.00
2109	Court Service Unit	52,332.00
2130	Magistrate	750.00
2201	Commonwealth Attorney	272,786.00
2202	Virginia Domestic Victim Grant	19,462.00
2220	Witness Advocate Grant	22,650.00
3102	Sheriff	1,790,369.00
3103	Sheriff (Town Police)	50,644.00
3104	Sheriff/Grant	83,016.00
3106	DARE	5,894.00
3203	Volunteer Fire Department	156,037.00
3203	Volunteer Rescue Squads	52,400.00
3204	Forestry Service	6,124.00
3301	Sheriff/Jail	321,592.00
3401	Office of Building & Housing	66,449.00
3501	Animal Control	153,040.00
3503	Medical Examiner	500.00
3605	Emergency Services	3,274.00
3606	E-911	569,356.00
4101	Road Viewers	300.00
4203	Refuse Collection	202,647.00
4204	Refuse Disposal	835,404.00
4206	Litter Grant	7,500.00
4207	Recycling	32,126.00
4208	Tire Security	21,598.00
4302	General Properties	398,314.00
5101	Local Health Department	111,057.00
5105	Central Va. Commission on Aging	5,600.00
5202	Central Va. Community Services	35,407.00
5301	Social Services	5,407.00
5302	State Local Hospitalization	5,047.00
5309	Courthouse	0.00
5310	Comprehensive Services	370,316.00
6401	Central Virginia Community College	381.00
7101	Sports Complex	100,000.00
7102	Parks & Recreation Department	192,749.00
7104	Tourism	40,000.00
7109	Contributions	11,702.00
7301	Public Library	168,707.00
8101	Planning (CVPDC)	11,035.00
8103	Debt Service	1,176,367.00
8104	Zoning	72,225.00
8105	Economic Development	429,835.00
8106	Chamber of Commerce	0.00
8111	Board of Zoning Appeals	900.00
8112	Planning Commission	10,298.00
8203	Robert E. Lee Soil & Water Conservation	10,000.00
8303	Extension Services	39,921.00
II.	Capital Improvement Fund (Uncommitted)	0.00
III.	Virginia Public Assistance Fund	1,194,432.00
IV.	School Operating Fund	20,654,754.00
	School Cafeteria Fund	953,788.00
	School CIP Fund	0.00
	School Special Projects Funds	0.00

BE IT FURTHER RESOLVED, that the County Treasurer be, and is hereby, authorized to transfer from the General Revenue Funds pursuant to this Resolution, as monies become available, and from time to time too meet the expenditures for amounts appropriated, sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors.

Adopted: May 6, 2002

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7A. Old Courthouse Inspection and Court Hearing:

Ms. Ferguson stated that on July 13th, there was a court hearing scheduled for 11:00 a.m. on closing the courthouse case. Prior to the hearing, she and John Spencer met with Chuck Raye, State Architect, and Ford Stevens, Attorney for the State, to look at the back exterior wall of the courthouse to make sure the improvements that were mandated had been done. They were very satisfied with everything done to this point. They found five items that need to be taken care of: Both doors on the rear of the building need to have striker plates installed; the four foot door needs to have the proper door handle assembly installed; the four foot door assembly needs to be closed in properly, needs mortar and caulking around the door assembly to seal between the assembly and existing wall- must use fire rated materials; want both doors painted and install some type of protection for the framing material around the four foot door. We informed them that we did not see any problems in taking care of these items and it should take about a couple of weeks.

At the hearing it was reported to Judge Poston the individual items that were mentioned, and all went well during the hearing. The bottom line is that we promised to take care of the above mentioned items and to notify Lee Byrd, the County's attorney on this case, when they have been completed. The attorneys will then draw up order to close the case. Judge Poston wants it stated in the order that Appomattox County may not connect the two building without prior approval from the Circuit Court Judge. Once the letter has been sent, stating that these items have been corrected, the Order will be drafted and hopefully that case will be closed out.

7B. Girl Scout Troop/Community Park:

As the Board will remember, the Girl Scouts in conjunction with some of the other organizations around town, some years ago, raised funds to put a Disc Golf Course at the Community Park. Once again, they are working on a project and we have received the following letter:

"Girl Scout Troop 2026 has been active for eleven (11) years and we are now working on our Gold Award. The Gold Award is the highest achievement that can be earned in Girl Scouts. This means we have completed all of the preliminary requirements and are now planning our final Gold Award project. Our Gold Award requires a project that will benefit the community. Also, each Girl Scout participant must complete a minimum of sixty-five (65) service hours including planning time, in order to fulfill the requirements of the project. Along with benefiting the community, it will also provide our troop with leadership skills and a sense of accomplishment. Many members of our community have been focusing on the sports area of the new recreational park. We felt, after much discussion, that a playground would be a wonderful addition and we believe that it is something our troop could accomplish. Our troop is planning to fund-raise and build as much as possible with the money we raise. We have spoken to Anne Dixon about the requirements and regulations for the playground. We, Troop 2026, are also willing to present this project to the County Board of Supervisors. In conclusion, Troop 2026

*would like the County's approval to proceed with our project of building a playground at the new recreational park. Sincerely,
Girl Scout Troop 2026 – Anne Pierce Hunter, Loren Toddy, Mandy Dolan, and Patricia Evans.*

Mr. Carter asked if they had spoke with Ms. Dixon and if we have received any comments from her.

Ms. Ferguson stated they are working with Ms. Dixon on the design and the location will be reviewed and the project will be followed step by step by proper County representatives.

Mr. Moore made a motion, seconded by Mr. Armbrust, to approve the request from Girl Scout Troop 2026 to raise funds and construct a playground at the Appomattox Community Park. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter read the following statement about the County not donating to the Community Park: *"The question was asked to me this past week-end on why the county does not and will not support the youth of the county at the new Community Park." My immediate response was who possibly could make such an outlandish false statement. As I thought further, I don't know how much more the Board could do other than cut already drained budgets within the county framework or raise taxes to some level that would appease some folks. This Board has always supported the youth of our county in any kind of project/projects that could be afforded either monetarily or verbally. This has always held true to all other previous Boards in my life time. To make such a statement would have to come from not knowing the very basic definition of the word "support" and the limitations of county funds.*

Just to set the record straight, the county has provided the following support at the Community Park:

APPOMATTOX COUNTY SUPPORT FOR YOUTH SPORTS
THE FOLLOWING SERVICES ARE PROVIDED BY THE APPOMATTOX COUNTY BOARD OF SUPERVISORS FOR YOUTH.

PROVIDE USE OF OLD ELEMENTARY SCHOOL FIELD FOR OVER 200 CHILDREN INVOLVED IN FOOTBALL AND CHEERLEADING.

PROVIDE FIELDS AT THE NEW APPOMATTOX COMMUNITY PARK FOR SOCCER AND TEE-BALL.

PROVIDE APPOMATTOX COUNTY BALL PARK FOR ENTIRE BASEBALL SEASON INCLUDING PAYING BILLS FOR THE LIGHTS, CONCESSION STAND, AND ALL MAINTENANCE.

PROVIDE COURTLAND FIELD FOR SOCCER PROGRAMS.

PROVIDE USE OF THE APPOMATTOX COMMUNITY CENTER FOR ALL YOUTH SPORT SIGN-UPS AND MONTHLY YOUTH SPORTS MEETINGS.

PROVIDE APPOMATTOX COMMUNITY CENTER FOR YOUTH SPORT BANQUETS.

PAY TO HAVE GRASS CUT AT ALL FACILITIES INCLUDING SPENDING AROUND \$500.00 A WEEK AT THE NEW APPOMATTOX COUNTY PARK FOR LAWN SERVICE MAINTENANCE.

HAVE FULL TIME EMPLOYEES THAT TAKE PHONE CALLS CONCERNING SPORT YOUTH PROGRAM ALL YEAR AND ASSIST WITH REGISTRATIONS.

NEW COMMUNITY PARK

BOARD OF SUPERVISORS PURCHASED LAND FOR THE COMMUNITY PARK.

BOARD OF SUPERVISORS PASSED RESOLUTION TO HAVE ROAD BUILT INTO PARK AND ACQUIRED THE \$300,000 VDOT GRANT THAT BUILT THE ROAD.

BOARD OF SUPERVISORS PASSED A RESOLUTION TO ACQUIRE \$200,000 GRANT TO HELP BUILD PARK AND FRONTED THE MONEY FOR PROJECT.

Mr. Carter wanted to pass this information on to the other Board Members as this remark about the Board not providing support absolutely "floored him".

7C. Balance Transfers – End of Year:

Ms. Ferguson stated that every year there are certain funds that the balance as of June 30th, has to be transferred over into the new fiscal year. Those funds are as follows:

Comprehensive Services	\$ 4,303.31
Law Library	22,981.25
Town Ballpark Fund	33.69
Capitol Improvements	3,249,755.14
Courthouse Maintenance	15,932.41
Cost of Keep Jail	11,235.16
Wireless Grant	63,000.00
Wire Land Grant	149,994.34
Homeland Security	58,238.00

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the transfer of the above mentioned fund to the FY2007 Budget. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 6:57 p.m. Mr. Carter called for a recess to conduct Public Hearing scheduled for 7:00 p.m.

At 7:31 p.m. Mr. Carter reconvened the Board Meeting and continued with the **ADMINISTRATIVE ITEMS:**

7D. Law Library Expenditures:

A bill has been presented by Ms. Williams, Clerk, Circuit Court requesting that \$31.40 be appropriated from the Law Library to pay for some volumes that were purchased.

After a short discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad to approve the appropriation of \$31.40 from the Law Library to pay for books purchased for the library. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7E. Negotiating Team:

The Board and the Town Council have voted to pursue negotiations with the Campbell County Water Authority in regards to finding out just what needs to be done. There is a lot of information, a lot of details that need to be obtained and in order to do this, we need a team. This team shall be comprised of Mr. Tom Conrad, from the Board of Supervisors. Mr. Conrad will also serve a Chairman for this Committee. It will include Mr. Bill Slagle, EDA member; Aileen Ferguson, County Administrator; Debbie Howell, Town Member at Large; and Kim Ray, County Member at Large. Mr. Carter would like to request that Mayor Wilson and Town Manager David Garrett also serve on this committee.

Ms. Ferguson will contact the Town Office as to the appointments to this committee.

7F. Jillian Mitchel Proposal:

Ms. Ferguson reported that she and Mr. Overstreet met with Ms. Mitchel and discussed some of the things she would like to do in the Old Courthouse and feels there is very little that actually needs to be done. One of the things she would like to do is change the flourescent lighting to another form of lighting that would be more appropriate for the setting; putting in a floating floor type situation, where if she discontinued use, that floor could be removed and not do any damage to the existing floor. Other than that she is talking about painting and just basically doing a good cleaning etc. She did not feel that she should be responsible for roof repairs, or other major repairs such as air conditioning and heat pump. It is Ms. Ferguson's understanding that Ms. Mitchel is willing to pay the heating bill, etc., while she is using the building. Ms. Ferguson would not like to see anything done to this building until the final order is signed by Judge Poston, and recorded.

Mr. Overstreet stated that Ms. Mitchell also spoke about a new sink and toilet in the judges area. Most leases do not require the lessee to do your capitol improvements, such as the roof, HAVC, etc. He has suggested that we look at a one (1) year lease and at that time take another look at it. He has two (2) legal issues with this proposal. 1) We had a public hearing and the Code of Virginia says that before leasing property, you should have a public hearing concerning such disposal. That does not give us any quidance at all as to exactly how specific that public hearing needs to be. We held a public hearing concerning use of that building, and in his mind, is probably sufficient for disposal of it, as leasing, and other uses was a part of that hearing. Does the Board feels like we need another one since we are pinpointing a specific use. 2) It is his understanding that she will be doing some small improvements, otherwise, it will be "rent free" for the use of this property. The Board has the authority to make gifts to charities and non-profit organizations. He believes that there will be some things from which she will be deriving profit. We have to have some "quid pro quo" if you will, if we are going to let her use it, we have to have something in return. The Board could make a determination that there is benefit to the County from having the building occupied, which is certainly the case. An unoccupied building will go "down hill" quickly. There will be somone there to watch the property, do some minor improvements, but he thinks the Board

should do this in a resolution form at some point, if we do prepare a lease. This could be our "quid pro quo".

Ms. Ferguson questioned if another Public Hearing would be necessary. If not, does the Board want to have Mr. Overstreet draw up a lease agreement similar to the one we have with Carver-Price Alumni Association to present to the Board in the near future.

Mr. Conrad questioned if Ms. Mitchel would be doing anything that would tie into the County Code. Ms. Ferguson said "no". If no improvements are made, other than what has been discussed, she is not mandated to meet any other codes.

Mr. Conrad made a motion, seconded by Mr. Moore, to proceed with preparing the necessary documents for the leasing of the Old Courthouse Building to Ms. Mitchel. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then moved to the **CONSENT AGENDA:** (Items 8 – 12)

8. **Approval of Minutes:** Please approve minutes of Special Comments Session on Water Line of June 26, 2006 and Regular Meeting of July 5, 2006.
9. **Approval of Bills:** Please approve bills for payment as presented.

LINE ITEM TRANSFERS:

10. **County Administration:** Please transfer by consent the following amounts from the various departments. These are excess funds that were added to health insurance prior to the renewal rates coming in. These amounts will be transferred to the Operating Reserve to make them available for other purposes if needed.

TRANSFER FROM:

1201-2005	\$3,066.00	County Administration
1209-2005	1,705.00	Commissioner of Revenue
1213-3005	2,044.00	Treasurer
1302-2005	511.00	Registrar
2106-2005	2,044.00	Clerk of Circuit Court
2107-2005	511.00	Sheriff (Civil Process)
2201-2005	1,022.00	Commonwealth Attorney
3102-2005	14,308.00	Sheriff's Department
3103-2005	511.00	Sheriff (Town)
3104-2005	1,022.00	Sheriff (School Resource Officer)
3501-2005	1,022.00	Animal Control
3606-2005	2,894.00	E-911
4203-2005	1,022.00	Refuse Collection
4204-2005	2,555.00	Refuse Disposal
4302-2005	1,533.00	General Properties
5310-2005	511.00	CSA Coordinator
7102-2005	1,022.00	Parks & Recreation/Tourism
7301-2005	1,022.00	Library
8104-2005	511.00	Zoning

TRANSFER FROM OPERATING RESERVE TO THE FOLLOWING:

1209-2005	\$3,749.00	Commissioner of Revenue
3606-2005	3,749.00	E-911

11. **County Administration:** Please transfer by consent \$14,525.00 from Operating Reserve to 8105-6014 - \$12,150.00 and 8105-6015 - \$2,375.00 for architect fees for the CVCC Satellite project and Carver-Price Museum project.
12. **General District Court:** Please transfer by consent \$592.00 from Operating Reserve to the General District Court budget for handless headsets for their telephones. We discussed this at budget review time and requested that they get bids on these items. It appears that these are the units that work with our phone system.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 13-17)

13. **Appomattox County Public Schools Financial Report:** Public School Financial Report for June 2006.
14. **SYNAGRO:** Synagro has provided you with the list of sites that they intend to apply biosolids on between October 10, 2006 and October 10, 2007.
15. **Town of Appomattox Agenda:** Town Council Agenda for meeting held on July 10, 2006.
16. **Robert E. Lee Soil and Water Conservation District:** Robert E. Lee Soil and Water Conservation District has provided you with a copy of their Annual Plan of Work for Fiscal Year 2006-2007.
17. **Concord Volunteer Fire Department, Inc.** Concord Volunteer Fire Department is in the process of replacing one of their vehicles. They will be requesting funding from the Board at some point in the future.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Craft remarked he had trouble with people coming in, making statements that are not true, stirring up things. Several statements are continuously being made regarding the water line coming from Lynchburg, etc. One such statement was regarding the water supply in Farmville - that they draw water from wells and also from the Appomattox River. He asked someone who works for the Town of Farmville and was informed that 100% of their water comes from the Appomattox River. In 2002 when they had the big shortage of water, they drilled two (2) wells with a combined capacity of 150 gallons which they used for two (2) months. They have not used them since that time.

- 19. Closed Session – Personnel Matter:** Mr. Carter stated the need to enter into a closed session to discuss a personnel matter under Section 2.2-3711 A 1 of the Code of Virginia.

At 7:55 p.m. Mr. Moore made a motion, seconded by Mr. Conrad, to enter into a closed session as per Section 2.2-3711 A 1 – Code of Virginia, Personnel Matters. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:20 p.m. Mr. Craft made a motion, seconded by Mr. Moore to return to regular session. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then read the following Certification Motion:

***WHEREAS**, this Board convened in a closed meeting under §2.2-3711 A. 1 – of the Code of Virginia, for the purpose of discussing a personnel matter.*

***AND WHEREAS**, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.*

***NOW BE IT CERTIFIED**, that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:*

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

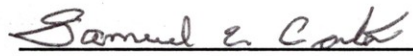
Mr. Carter asked if there was any action to be taken as a result of the "Closed Session".

Being none, everyone was reminded of **UPCOMING MEETINGS:**

**August 7, 2006
6:30 p.m.
Regular Scheduled Meeting
Community Center**

**August 21, 2006
6:30 p.m.
Regular Schedule Meeting
Community Center**

At 8:21 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye, and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, July 17, 2006 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing at 7:00 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
George (Spud) Almond
Calvin Tanner
Steve Conner
Al Sears
Bryan Baine
Barry Morris
Shannon Dews

NOTE: Susan Hudson, new member not sworn in as yet and one (1) vacancy.

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
Johnnie Roark, County Planner
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting to Mr. Roark:

Mr. Roark read the first petition to be heard: **CUP06007 – Appomattox FFA Alumni Association, Evergreen Avenue, (Route 1002), Appomattox, VA.** The Appomattox FFA Alumni Association/US Cellular are

requesting a Conditional Use Permit to allow a new telecommunications facility on Evergreen Avenue (Route 1002) between Red House Road (Route 727) and Redfields Road (Route 635). Subject property is identified as Tax Map #76(A)68 containing approximately 4.23 acres, and is zoned A-1, Agricultural District.

Mr. Roark stated that there were representatives present from both U. S. Cellular and the FFA Alumni Association to address the Board.

Steven Waller, U. S. Cellular – The purpose of this site is to expand our coverage to Appomattox County and also to allow some relief to other sites already in the county. This site would be adding additional areas for three (3) providers. He will be happy to answer any questions that the Board has.

Billy Perrow – FFA Alumni Association – Their organization sees this as an opportunity to help a lot of students, children and members of the community. They are an organization that is designed solely for the purpose of promoting the FFA, Agricultural and Tech activities. Funds that this organization potentially would receive would definitely go to all types of activities and support this land lab that has been there for a number of years and would help develop it into a place that we would dream about. It would help scholarships for students. It would provide travel for students to all types of activities and events. This would be a great benefit to their organization and would probably be one of the least intrusive infrastructures that you could have in the community. No sound, no noise, no congregation of people and would be an item that would provide some needs to the community from a technical point of view. The Alumni Association appreciates the Board's favorable approval of this at all possible.

Mr. Roark asked if there was anyone else who wished to speak in favor of this petition.

Hearing none, he asked if anyone wished to speak against this petition.

Hearing none, Mr. Roark moved to the next petition:

CUP06008 – Raymond A. Mirra, Jr. and Gigi Jordan, Stone Ridge Road (Route 721), Appomattox, VA: The applicants are requesting a Conditional Use Permit to allow for a private club on Stone Ridge Road (Route 721) from Turner Mountain Road (Route 671) and Dreaming Creek Road (Route 605). Subject property is identified as Tax Map #s 23(A)5; 23(A)5B; 23(1)6A and 23(1)6B. Total acreage is approximately 1,039.23 acres and is zoned A-1 Agricultural District.

Ms. Vivian Seay, Attorney-at-Law, Appomattox, VA -representing Mr. Mirra and Ms. Jordan: The idea of this request is for the property which is in existence at present. Much more property surrounding this particular acreage belongs to the applicants so this petition does not encompass property all the way to edge of the property bordering neighboring properties. This property is currently used as Mr. Mirra's residence but in addition to that he has quite a few colleagues, business associates, come to the property. He would also like to open the property up for rentals, not in the customary sense, but in a membership or private membership type of situation. This would not be on a daily coming and going basis. They anticipate members staying for a longer period of time, such as a week or longer such as a corporation retreat, etc. They

expect this to be a benefit to the County in bring individuals in from outside that would be spending dollars in our local establishments. There will be no anticipated development but will retain the rural setting of the property. This would in no way affect the utilization of local resources, no public water or sewage. They also have their own fire equipment.

Mr. Roark asked if anyone else wished to speak in favor of this petition.

Hearing none, he asked if anyone wished to speak against this petition.

Linda Ferguson, 313 Holcomb Path Road, Lynchburg, VA: In going over the information they received, it appears that this site is already being used similar to the proposed conditional use. Why are you asking for the change if there are to be no upgrades, etc., to the current property, making it even more exclusive forcing the Ferguson to create an alternate route to the right of way on the adjacent property? What other plans for future development do you have? What evidence is there to Appomattox County has a real benefit from this? Will Stone Ridge mandate visits to historical Appomattox or purchase any vouchers? It has been stated that visitors come to Stone Ridge for retreats, so how will this bring out of state dollars to Appomattox and what revenue will it create. How do you expect anyone to enjoy this property as everything around it has been gated and locked up. How much more private does it need to be. (Ms. Ferguson also had some pictures of the area in question.) County dollars put the road in--are we just going to close that road to the public? Has the County already made a decision on the proposal submitted by Mr. Mirra?

Norman Ferguson, 6110 Richmond Highway, Lynchburg, VA: The road goes to our Ferguson Family property. The little information we are getting about the road situation right now is not enough information. They do a great deal of hunting in the area. He feels they need more information about what they intend to do regarding privacy, etc. We have had this property for years and we have never had any problems before. They previously had access to James River and they do not want anything to block that for them.

Jennine Allen, 1248 Stone Ridge Road, Appomattox, VA.: She lives at the corner of Dreaming Creek Road and Stone Ridge Road. She feels she needs more clarification on what is going to be involved in this project and what impact it will have as far as the road is concerned. This is a very narrow road and if the traffic increases, it would require improvements.

Boyd Ferguson, 313 Holcomb Path Road, Lynchburg, VA.: He would like to ask, Why should we have to get permission from somebody else to go to our property? The state road has been there for 50 years – funded by County and State funds. If they close the road, Are there plans to make another road for them to be able to get to their property?

Ellen Ferguson, 743 Winston Ridge Road, Lynchburg, Va.: Her husband recently opened the old Herndon's Grocery, which they now call "Pit Stop". She does not see

where anyone from Stone Ridge patronizes local businesses. They have been open since November 2005 and they do not patronize them.

Ann Cabell Giles: Her son has fifty (50) acres on this road in question and he certainly want to maintain access to and from his property. He doesn't live here but perhaps one day he will.

Lloyd Ferguson, Stage Road, Lynchburg, VA.: He owns property in this area. He goes over there to hunt. He does not approve of closing this road.

Richard D. Ferguson, Old Vineyard Road, Appomattox, VA.: He was born and raised on this property and they always had access to the James for fishing, hunting, trapping. Since this man bought the property, it is posted, etc. He don't want nobody to walk or touch anything. It looks like he is trying to push us out. Don't want us to have no freedom. He's got the money and he can do that.

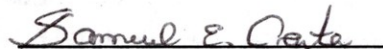
Paul Allen, 1248 Stone Ridge Road, Appomattox, VA.: The whole story is that we would like to keep our road like it is. We don't want change on this road. We don't want a gate put at Route 605 and 721. We don't want restrictions on our road. It has been like that for 35 to 40 years and these people have been going up and down for that many years, practically all their life. With the money this man has got, if he wants a road, he has almost 1100 acres that he can build himself a road, but don't take our road away from us. I own 20 acres, half-way up the hill. If something ever happens that he gets the road, and he ever sells, that 20 acres of land I have, I will have to go through the woods to get to. I don't want that.

Alfonzo Ferguson, 674 Pleasant Valley Road, Lynchburg, VA.: He would like to just say "keep the road open". Do not cut the State road off, we would have a hard time. We could not get mail, no school buses, no nothing.

Mr. Roark asked if anyone else wished to speak on this petition.

Hearing no other comments, Mr. Roark turned the meeting back to Mr. Carter.

At 7:25 p.m. Mr. Carter declared the Public Hearing closed.


Samuel E. Carter, Chairman

On Monday, August 7, 2006, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA. 24522

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson – County Administrator
 John G. Overstreet – County Attorney
 John K. Spencer, Jr. – Assistant County Administrator
 Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, after which everyone was invited to join in the Pledge of Allegiance to the American Flag.

Ms. Ferguson informed everyone present that Mr. & Mrs. Armbrust became the parents of a baby boy, born on Friday August 4, 2006, weighing 7 lbs. 7 oz. and 21 inches long and named Adrian Brock Armbrust.

Mr. Carter then called for the **Setting of the Agenda:**

- 5A. Lease on Courthouse**
- 5B. Social Services Board Appointment**
- 5C. Comments from the Department of Justice**

Mr. Carter announced that the next item on the Agenda was **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of important or concern to the citizen.

No one came forward to speak at this time.

APPEARANCES:

Mr. Carter next introduced **Earl Pickett, Appomattox Farm Bureau:** Mr. Pickett will speak to the Board to discuss the land use taxation.

Mr. Pickett stated that most of the counties in our area, with the exception of Charlotte County, have already adopted Land Use Taxation. While you feel that this is necessary if we are to keep the county on a working basis, and maintain some of our farm land and forest area, one thing we have found at Farm Bureau is that zoning as it is used in a lot of counties go through a buy-out. It may be zoned A-1 but the first time someone asks to have it changed, it is changed. We feel that a Land Use Ordinance, would help

retain some of the rural areas of our county and not become a place like Loudoun County and a lot of other places. He has talked with members of other counties that were rather late in going to Land Use and they have said that they wish they had take action on this earlier because they are in that urban sprawl that a lot of counties find themselves in now.

Farm Bureau and Mr. Mays, Commissioner of Revenue, did a minimal survey where we used a nine percent property report at random to get a preliminary survey and Mr. Mays is working on a complete survey. What Farm Bureau would like the Board of Supervisors to do, once Mr. Mays finishes his complete survey, is to sit down and have a work session with the Board, some members of Farm Bureau, one who has worked up all these preliminary reports for the whole state of Virginia. Only about 60% of the counties that can apply for land use, use it. The rest do not. We are losing land across the area at a rapid rate and agriculture is still the biggest employer in the State of Virginia. They found in the preliminary survey that for every dollar spent, the agricultural and forest land, bought from twelve to twenty cents. Most of our figures came from information available in 1998.

Mark Campbell is the area field representative for ten counties in Central Virginia. All they are asking is that the Board decided whether or not they would be willing to hold this work session.

Mr. Campbell stated that land use is a tax equity program. Farm land does not require as many services as residential areas. In the revenue impact study, he pulled a random sample of tax cards and assessed the total amount of revenue from these. The proposed impact if the County were to implement land use, the assessed value land use was \$100.00 per acre (low). 75% of Virginia counties have a land use preservation.

Mr. Conrad questioned what the impact was to counties that have the land use and those that do not.

Initially when a county adopts a land use program, they get a tax increase. Studies showed a tax rate increase of .04 cents per hundred. Initially, the county may or may not have a tax rate increase and re-assessment would play into this also. Land Use is beneficial to the County.

Mr. Carter thanked Mr. Pickett and Mr. Campbell.

Mr. Carter next introduced **Mr. Terry Brennen, Forest Management Specialist, Virginia Department of Forestry:** Mr. Brennen meets with the Board to give the annual forest report and to present the County a check for a portion of the proceeds from timber sales in the State Forests.

Mr. Brennen began by presenting the County with a check in the amount of \$29,814.71 which represents 25% of the proceeds from timber sales in the State Forests.

Mr. Brennen stated that he has two (2) great loves in his life. One is his wife of 43 years and the other "his mistress" of 28 years, the Department of Forestry. In the state

forest they have things divided by timber types. For the past 28 years he has been trying to get something called "sustained management" and he is working on a plan that eventually they will have 60 acres of 100 year old, 60 acres of 90 year old, etc. When he completes this he will retire – 127 years old. The forest is more than trees. They have had the U.S. Dept. of Agriculture do research plus many universities such as Va Tech, Liberty, Yale, Longwood, etc. They do a lot of research. One of their weaknesses is that they really do not reach out to the community. They are limited because they are self-supporting.

One of the things he has done when he has a few minutes at the end of each day, is a GEO tour on the Covington Trail. GEO Caches are getting to be one of the great family recreation things, where you use a hand-held instrument and find various spots. With the help of Beryl Covington and Ralph Smith, who used to live on this property, he has put together a program which we may want to give to the tourism director. Also, for those who do not have GEO caches, he has modified this plan to be just a walking tour consisting of 8 stops covering about 2 miles and really talks about the people who lived there before and what is being done now with the land. (Mr. Brennen passed out some information on this walking tour.) Mr. Brennen thanked the Board for their time and letting him tell a little about what is taking place in the State Forest.

Mr. Carter thanked Mr. Brennen for his informative presentation and check.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 5)

1. **Planning Commission Recommendations:** The Planning Commission has submitted its recommendations from the public hearing held on July 17, 2006.
CUP06008 – Raymond A. Mirra, Jr. and Gigi Jordan: Conditional Use Permit to allow for a private club on Route 721 (Stone Ridge Road) between Route 671 (Turner Mountain Road) and Route 605 (Dreaming Creek Road). Subject property is identified as Tax Map #'s 23(A)5, 23(A)5b, 23(1)6A and 23(1) 6B and contains approximately 1039.23 acres. Property is zoned A-1, Agricultural District.

The Planning Commission recommends approval of this petition with conditions.

CUP06007 – Appomattox FFA Alumni Association/U. S. Cellular: Conditional Use Permit to allow for a new telecommunications facility on Route 1002 (Evergreen Avenue) between Route 727 (Red House Road) and Route 635 (Redfields Road). Property is identified as Tax Map #76(A)68 containing approximately 4.28 acres and is zoned A-1, Agricultural District.

The Planning Commission recommends approval of this petition as submitted.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Craft, for reason of public necessity, convenience, general welfare, and good zoning practice to approve **CUP06008 Raymond A. Mirra, Jr. and Gigi Jordan** with the following conditions:

- The development shall generally conform to the site plan submitted June 23, 2006 with the application. The conditional use permit shall have to be amended

for any additional development (i.e. new guesthouses, new amenities, recreational facilities) taking place in conjunction with the private club use.

- The public road leading to the development (Route 721) shall remain public and maintained by the Virginia Department of Transportation (VDOT). The use of the land as a private club shall not interfere with the public's use of this roadway. If a request is made by the property owner to VDOT for abandonment of any portion of this roadway, then this conditional use permit shall be re-examined by the Planning Commission and Board of Supervisors.

VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes – 1 absent)

Mr. Moore made a motion, seconded by Mr. Craft, for reasons of public necessity, convenience, general welfare, and good zoning practice to approve **CUP06007 – Appomattox FFA Alumni Association/US Cellular** as submitted. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes-1 absent)

2. **Permit Application for a Musical or Entertainment Festival:** Ken & Bonnie Swanson are requesting a Musical or Entertainment Festival Permit to hold their annual music festival on Saturday, September 2, 2006 and asking the Board to waive the bond requirement.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve Ken & Bonnie Swanson's request to hold a music festival on Saturday, September 2, 2006 and waive the bond requirement. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes- 1 absent)

3. **AWAG Request for Use of Courtland Field:** AWAG is requesting the use of Courtland Field on June 9, 2007 for another "FIDO FIESTA".

Ms. Ferguson commented that their event held last year was well attended and they did a good job of cleaning the field afterwards.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve AWAG's request for the use of Courtland Field for another "FIDO FIESTA" on June 9, 2007. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

4. **Funding Request for Lynchburg Regional Airport:** At a previous meeting the Board requested that the EDA consider a request from Lynchburg Regional Chamber of Commerce to contribute towards an effort to restore air service between Lynchburg Regional Airport and Dulles International Airport.

The EDA on July 24, 2006 recommended that the Board of Supervisors invest the funds requested by the Lynchburg Regional Chamber of Commerce in the effort to reinstate air service between Lynchburg and Dulles International Airport.

After some discussion, the Board by consensus agreed to table this issue until the next meeting in order to obtain more information on use locally.

5. **Health and Dental Insurance Rates Effective October 1, 2006:** Sometime ago you received notice of the new rates for the health insurance effective October 1, 2006 through September 30, 2007 and agreed that we should go with the new rates and reduced premiums. It is necessary that you adopt the new rates for the upcoming year.

Mr. Conrad made a motion, seconded by Mr. Moore, to adopt the following rates for the health insurance effective October 1, 2006 through September 30, 2007.

Anthem Blue Cross/Blue Shield:

	<u>Blue Care 300</u>	<u>Key Care 500</u>
Employee Only	\$334.69	\$307.92
Employee & 1 Child	472.59	434.78
Employee & Spouse	673.42	619.53
Employee & Family	874.22	804.28
Carve-Out	267.76	246.33

Delta Dental:

Employee Only	\$26.46
Employee +1	45.50
Employee & Family	72.50

The Appomattox County School Board on July 27, 2006 established \$307.92 as the amount the Board will pay monthly per subscribing employee.

ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 5A. **Lease on Old Courthouse:** Ms. Ferguson stated that the lease was based on a similar lease written for the Carver-Price Alumni Association for the museum. Ms. Jillian Mitchell is satisfied with terms stated in this lease.

After some discussion, it was agreed that this was a win-win situation for all parties involved.

Mr. Overstreet stated that this was a one year lease, renewable at that time.

Mr. Craft made a motion, seconded by Mr. Conrad, to enter into a lease with Ms. Jillian Mitchell for use of the Old Courthouse building for a period of one year, with option to renew at that time. The Planning Commission recommends approval of this petition with conditions. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 5B. **Social Services Board Appointment:** An appointment needs to be made to the Social Services Board. Mr. Carter and Mr. Conrad will work on getting this vacancy filled.

- 5C. **Comments from J. G. Overstreet, County Attorney Regarding Special Meeting called for July 31, 2006:** Mr. Overstreet distributed some written remarks which he read to the Board and the Public.

"An issue has arisen as to whether the notice give by the Board for a special meeting to be held on Monday, July 31, 2006 at 6:30 p.m. was in compliance with the requirement of the Virginia Freedom of Information Act.

The Code of Virginia makes a distinction between regular meetings and special meetings of boards of supervisors in Title 15.2, Chapter 37, "Virginia Freedom of Information Act". Section 2.2-3707 D. addresses notice of "special meetings" which shall be "reasonable under the circumstances".

After notice was posted on Friday, July 28, 2006, I was contacted by the County Administrator, Aileen Ferguson, on Monday, July 31st and was advised that some citizens questioned whether the notice was sufficient according to the requirements of the Act. It was my opinion that the notice was "reasonable under the circumstances" and therefore, complied with the Act.

Having made those comments, I must add that there is no bright line test as to what is "reasonable under the circumstances". Certainly, reasonable and honorable people may disagree as to its application.

Later that Monday, the meeting was postponed until Thursday, August 3^d. Although I understand that Campbell County needs a definite decision by Appomattox County soon regarding extension of the waterline and every day is critical, nevertheless, I believe the postponement to have been a wise decision. The issues involving a waterline extension from Campbell County and the creation of a Public Service Authority have been vigorously debated in this community and I believe that the opponents for these proposals felt that they were not given ample notice of the meeting, (the purpose of which was to discuss with Town Council the selection of a joint-committee to address these matters with officials in Campbell County).

Continuing this meeting demonstrated that the Board supports the policy set forth in the Act, which is "to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operation of government".

I suppose this has all been rendered moot now since the meeting was ultimately cancelled."

Mr. Overstreet was thanked for his informative input.

Mr. Carter next presented the **CONSENT AGENDA:** (Items 6 – 11)

6. **Approval of Minutes:** Please approve the minutes of the Regular Meeting of July 17, 2007 and Joint Public Hearing on July 17, 2007.

7. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

8. **Circuit Court Clerk's Office:** Please appropriate by consent and supplement \$2,527.82 to the Circuit Court Clerk's budget for equipment. These funds will be reimbursed to the County through court fees.

9. **Sheriff's Department:** Please appropriate by consent and supplement \$680.96 to the Sheriff's Department for reimbursement to the County for overtime worked at Express Lane.

10. Library: Please appropriate by consent and supplement the following:

7301-5415 Summer Reading	\$500.00
7301-5401 Office Supplies	383.85
7301-5411 Books	122.44
7301-5414 Pamplin	283.20

These funds represent donations, stamp sales, book replacement fees and books sales.

LINE ITEM TRANSFERS:

- 11. Economic Development:** Please approve by consent a line item transfer from Operating Reserve in the Board of Supervisor's budget \$3,000.00 – \$1,500.00 to 8105-6014 - HUD and \$1,500.00 to 8105-6015 - CVCC Satellite for bid assistance by HDH.

Mr. Conrad made a motion, seconded by Mr. Moore, to approve the **Consent Agenda** as submitted. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:** (Items 12 – 15)

- 12. Community Park Information:** Enclosed is a copy of a survey, donated by William Dickerson, of the disc golf course at the Community Park.
- 13. 2-1-1 Virginia:** Quarterly report from 2-1-1 Virginia of Central Virginia's Problems/Needs for your information.
- 14. Town Council Agenda:** Agenda for Town Council Workshop meeting held on July 25, 2006 and upcoming meeting of August 14, 2006.
- 15. Robert E. Lee Soil & Water Conservation District:** Enclosed minutes of the Board of Directors meeting of the Robert E. Lee Soil & Water Conservation District held on June 22, 2006.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Conrad - None

Mr. Craft - None

Mr. Moore - None

Mr. Carter stated he had one concern and he wished to make the following statement:

"The Appomattox County Board of Supervisors and the Appomattox Town Council have elected from the multi water study alternatives, to proceed with negotiations with Campbell County Water Authority in a joint related process. This process/mission is to collect any and all financial data that will determine the cost of running a water line from Concord to Appomattox. This information is needed along with other logistical data in determining further steps to be taken in supplying the town and county with water.

A "Negotiating/Fact-Finding Team" was appointed that represented the Board and Town Council along with a cross-section of town and county citizens to meet with Campbell County and collect the financial impact it would have on our town and county collectively. The focus point of this team would be a **'UNIFIED TEAM'**, collecting and hearing the same information to disseminate back to the Council and Board. This would allow the Team to format the information without enduring other barriers (different committees and members) that would inhibit their reporting in a timely manner. Mr. Wilson was asked to represent the town but declined and not naming another council

member(s) creates a strategic void. This was the sole purpose of conducting the meeting last week for the Council to appoint their member(s) that would enable this Team to initiate their fact finding study. Again, I want to emphasize the importance of having this joint **"United Team"** that should be working collectively for a common goal.

Time is of the essence for this team to start collecting data in order for the Board and Town Council to let Campbell County know our intentions of using this water line or not. Our feedback to Campbell County is on a critical path, as they need to start pursuing the work scope of sizing and purchasing the water line sub-components from Rustburg. Now that we have lost another week and the Town not meeting until August 14th has limited the time factor even more. Therefore, the county will start the communication channel with Campbell County immediately and if the Town Council desires to become a partner, the door is always open to them. This project has always been a joint effort and it should continue as a joint "unified" team representing Appomattox.

We must move forward collectively to serve our citizens and provide the necessary essentials for Appomattox's place in the future. We have read in our newspapers and heard over the airwaves words that haven't been so nice. The only response I give to this articulation of words is "We are doing our best and we will always do our best, very best". Simply put, we are going to collect the best information that is available regardless of the negative feedback that is produced from a guessing game.

When all the facts have been gathered, we will then communicate these findings to our citizens through public hearings/comment sessions, local newspapers, and other channels that are linked to the county. I'm asking that we all strengthen our willingness to work together and strive to up-lift our community."

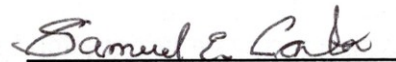
Thank you.

UPCOMING MEETRINGS

**August 21, 2006 @ 6:30 p.m.
Regular Scheduled Meeting
Community Center**

**September 5, 2006 @ 6:30 p.m.
Regular Scheduled Meeting
Community Center**

At 7:24 p.m. Mr. Conrad made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)


Samuel E. Carter, Chairman

On Monday, August 21, 2006 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation after which he invited everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**
There were no additions or deletions to the agenda.

Mr. Carter then called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Mr. Carter then asked **Scott Smith, Local Government Council** to address the Board: Mr. Smith is appearing to discuss a proposed grant application to the Tobacco Commission's Education Committee seeking funding for Phase 2 of CVCC's Appomattox Satellite. The Board will need to pass a resolution authorizing submission of the grant. The deadline for this grant application is September 1st.

Mr. Smith explained that the revision to this resolution had to do with the Department of Housing and Urban Development grant that the county has received for roofing and window work. As you know, we did not receive the Virginia Community Development Block Grant funding that we applied for earlier this year in the amount of \$700,000.00 for the project. What is before you tonight, is a resolution to authorize the county to apply for about \$250,000 from the Virginia Tobacco Commission for the education grant program. The CDBG program does allow for uses like the Workforce Development Center, it really focuses on housing, waterlines, etc. The Tobacco Education fund specifically works on things like what we are trying to do with the Carver-Price Education Complex. We are asking for \$250,000 for two reasons: 1) They don't allow you to ask for the entire cost of the project; 2) we looked at the amount that was budgeted for other localities in the past. We should have an answer by the end of October 2006. Mr. Smith feels we have a good chance of getting this funding.

After a brief discussion period, Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the following resolution:

RESOLUTION TO ENDORSE THE APPLICATION FOR VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION EDUCATION GRANT PROGRAM FUNDS TO ADDRESS WORKFORCE DEVELOPMENT AND EDUCATION NEEDS IN THE COUNTY OF APPOMATTOX

WHEREAS, the Virginia Tobacco Indemnification and Community Revitalization Commission (TICRC) has announced available funding for their Education Grant Program; and

WHEREAS, the County of Appomattox and the Appomattox Workforce Development Center Management Team underwent a thorough planning process to identify and prioritize long-term needs to sustain and strengthen the County of Appomattox, has identified workforce training deficiencies in the county; and

WHEREAS, assistance is needed to provide workforce training and small business counseling opportunities to low and moderate income persons within the County of Appomattox, and

WHEREAS, approximately \$958,203 will be expended on Phases I and II of this project, with the primary funding sources being TICRC Education Grant (\$250,000), a Virginia Tobacco Commission Economic Development grant (\$16,240), U. S. Department of Housing & Urban Development Economic Development Initiative (\$103,092), Central Virginia Community College (\$175,000) and the County of Appomattox (\$413,871); and

WHEREAS, the Appomattox County Board of Supervisors is committed to the development of a workforce development center as a component of the renovation of the Carver-Price Educational Complex and will be responsible for the management, maintenance and operation of the building to ensure that a workforce development center can continue as long as Central Virginia Community College continues to lease the facility for classes that improve and enhance the education level of the workforce and business community of Appomattox County.

THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Appomattox wishes to apply for funding in the amount of \$250,000.00 from the Virginia Tobacco Indemnification and Community Revitalization Commission for an Educational Grant to be utilized to develop a Workforce Development Center in Appomattox County. Be it further resolved that Aileen T. Ferguson, County Administrator, is hereby authorized to sign and submit the appropriate documents for submittal of the TICRC Education Grant Application, and to execute any necessary legal documents if the grant is awarded to the County of Appomattox.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then moved to the **ADMINISTRATIVE ITEMS:** (Items 1 – 4)

1. Appointments to Building Code Board of Appeals and Fire Code Board of Appeals.

We have received several applications from citizens interested in being a member of these two appeal boards. Because of the similar roles and requirements of these appeal boards, the Board may wish to appoint the same people to both boards.

Mr. Spencer had submitted the names of seven (7) applicants. He further stated that the Board may wish to appoint five (5) to serve on both boards. He also suggested that they be appointed for serve 3 year terms, but staggered at the start as follows: 2 members for three years ending December 31, 2009; 2 members for two years ending December 31, 2008; and 1 members for one year ending December 31, 2007.

After some discussion, Mr. Moore made a motion, seconded by Mr. Craft, to appoint Fred Kruschwitz, Blair Smith, Samuel Webber, Michael Barney and Robert C. Stephens to the Building Code Board of Appeals and the Fire Code Board of Appeals. Terms of service were not decided. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Social Services Board Appointment:** Judith Covington has resigned her seat on the Social Services Board effective after the August meeting of that Body. At the August 7, 2006 board meeting it was decided that Mr. Carter and Mr. Conrad were to return to the August 21, 2006 meeting and submit a name to the board for acceptance.

Mr. Carter stated he and Mr. Conrad had not been able to get together as yet and asked that this be tabled until the next Board meeting.

Mr. Craft made a motion, seconded by Mr. Conrad, to table this appointment until the September 5, 2006 meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Sheriff's Department Unused Sick Leave Request:** Sheriff Staples has requested that the reimbursement policy for unused sick leave by retirees of the Appomattox County Sheriff's Department be increased from \$2,500 to \$5,000. This would follow a recent change by the Virginia State Police.

A discussion centered around the fact that we in the past have followed the guidelines set forth by the Virginia State Police and this will not effect a large number of retirees.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the request to change the reimbursement policy for the Sheriff's Department for unused sick leave by retirees of the Appomattox County Sheriff's Department be increased from \$2,500 to \$5,000. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Appomattox County Historical Society:** The Board has received a request from the Appomattox County Historical Society requesting the use of Courtland Field on Saturday, September 20, 2006, for a fund raiser yard sale type of event.

Mr. Conrad made a motion, seconded by Mr. Moore, to approve the Appomattox County Historical Society the use of Courtland Field on Saturday, September 20, 2006 provided they provide the county with proof of insurance prior to that date. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for the **CONSENT AGENDA:** (Items 5 – 13)

5. **Approval of Minutes:** Please approve minutes of the August 7, 2006 meeting.
6. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

7. **Sheriff's Department:** Please appropriate by consent and supplement \$3,981.87 to 3107-1004 (overtime traffic control) and \$1,579.55 to 3107-7001 (equipment) in the Sheriff's DMV Grant. These funds should have been carried over from last year's budget.
8. **Sheriff's Department:** Please appropriate by consent and supplement \$736.00 to 3100-1002 (overtime) and \$61.00 to 3100-2001 (FICA) in the Sheriff's Law Enforcement Block Grant. These funds should have been carried over from last year's budget.
9. **Sheriff's Department:** Please appropriate by consent and supplement \$510.72 to 3102-1002 (Regular Overtime Fund). These funds are reimbursement from J. T. Dickerson for security performed at Express Lane for the month of July 2006.
10. **Sheriff's Department:** Please appropriate by consent and supplement \$20.00 into 3102-5408 (Vehicle and Power Equipment Supplies) for restitution on damages to county vehicle.
11. **Sheriff's Department:** Please appropriate by consent and supplement \$40.47 in 3102-5409 (Police Supplies) for reimbursement from GALLS.
12. **Commissioner of Revenue:** Please appropriate by consent and supplement \$2,750.00 in 1209-3010 (Date Processing) to upgrade 5 computer units in Commissioner of Revenue Office.
13. **School Board:** Please appropriate by consent and supplement \$147,325.24 to the Schools Budget for funds received for final payments received in late June for charges due to March 31, ADM and 2005-2006 budget over forecast of sales tax by the State.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:** (Items 14 – 18)

14. **Notice of Proposed Revisions to Charlotte County Comprehensive Plan:** Notice from Charlotte County pertaining to public comment on proposed changes to their comprehensive plan for your information.
15. **Letter Concerning Pressure Washing of Flood Mausoleum:** Letter from S & J Pressure Washing L.L.C. pertaining to cleaning of the mausoleum.
16. **Robert E. Lee Soil and Water Conservation District Strategic Plan:** Robert E. Lee Soil and Water Conservation District Strategic Plan for July 2006 – June 2011.
17. **Appomattox County Public Schools:** Monthly Financial report for July 2006 for the public schools.
18. **Appomattox County Parks, Recreation & Tourism Department:** Ms. Dixon's report for July, 2006.

Mr. Carter asked Ms. Ferguson if the Robert E. Lee Soil and Water Conservation District investigated or looked into the biosolids runoff on recently applied land as part of their ongoing testing.

Ms. Ferguson replied that they did not specifically go out and look at each and every site, but it certainly is a part of what they do.

At 6:53 p.m. Mr. Carter recessed the meeting for the Public Hearing to be held at 7:00 p.m.

At 7:09 p.m. Mr. Carter reconvened the Board of Supervisors meeting and called for **SUPERVISOR CONCERNS:** (Item 19)

Mr. Conrad – He would first like to discuss the waterline. Both the Town Council and the Board of Supervisors for the last couple of years have tried to work in connection with each other to develop this waterline. He does not think there is any questions in anyone's mind that it was realistic. The future will mean public water for Appomattox County someday. It is just a matter of when you will do this. The quicker you do this, the quicker you will be able to cope and compete in the future. Unfortunately, he thinks there are some emotions involved and some self-centered idealism that it has become more subjective. He feels like what has been done has set us backwards, but on the other hand he thinks, we as a Board would be remiss, if we were to turn at this point and say, "We are just going to put this on the back burner". We are still aware of the fact that we still have Campbell County Public Utility Authority working on this issue to bring a waterline from Rustburg to Concord and there is no reason in the world why we can't still become involved and maybe even work on this from a point that we can still consummate so sort of agreement that we may be ready when the time comes to hook up. We can't look at these things in the short term, you have to look at both the short term and the long term. If we are going to grow, we will have to be willing to succeed a little bit and understand that there are going to be changes. To think otherwise, you are only kidding yourself and you are not a governing body that has to make these decisions. You are not representing the citizens that elected you as you should be. He is sorry if anyone takes offense at this but so be it.

Secondly, he would like to recognize Chad Millner, who is no longer with the newspaper, reporting for us. We own him a thanks for certainly doing a good job. He not only covered the news fully and accurately, it was fair and balanced at all times. Chad has been a real asset to the community. Thanks very much for a job well done.

Shawn Armbrust: Also thanked Chad. There is a new sub-division going up on Hummingbird Lane and some of the residents would like to have the 35 mile per hour sign moved beyond this sub-division. He would like to have Ms. Ferguson contact VDOT regarding this issue.

Willie Craft: Thanked Chad for a job well done.

Russell Moore: He would like to say he agrees with what Mr. Conrad has said regarding the waterline project as well as thanking Chad for doing such a good job of reporting the facts to the public.

Samuel Carter: Would also like to add his thanks to Chad. Chad has really done this Board justice in the way he has presented information to the citizens of Appomattox.

Mr. Carter then reminded everyone of the **UPCOMING MEETINGS:**

NO MEETING
MONDAY, SEPTEMBER 4, 2006
HOLIDAY – LABOR DAY

TUESDAY, SEPTEMBER 5, 2006
REGULAR SCHEDULED MEETING
COMMUNITY CENTER

MONDAY, SEPTEMBER 11, 2006
JOINT MEETING WITH TOWN COUNCIL
COMMUNITY CENTER

MONDAY, SEPTEMBER 18, 2006
REGULAR SCHEDULED MEETING
COMMUNITY CENTER

At 7:17 p.m. Mr. Armbrust made a motion, seconded by Mr. Moore to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter aye. (5 aye votes)

Samuel E. Carter, Chairman

~~_____
Samuel E. Carter, Chairman~~

On Monday, August 21, 2006 the Appomattox County Board of Supervisors, the Appomattox Planning Commission and the Appomattox County Board of Zoning Appeals held a joint Public Hearing at 7:00 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisor)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien – Chairman
Calvin Tanner
Steve Conner
George Almond
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine (late)

ABSENT: (Planning Commission)

Al Sears

PRESENT: (Board of Zoning Appeals)

James Cheatham
Dale Campbell
Cliff Harvey
Dot Wooten

ABSENT: (Board of Zoning Appeals)

Wesley Hamlett

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator

At 7:00 p.m. Mr. Carter opened the Public Hearing and made the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as

an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting to Mr. Roark who presented the first petition to be heard:

VR06002 – Appomattox Anglican Church – Applicant is requesting a variance of the side yard setback (Section 170-80, Table 2) on property located on Route 635 (Redfields Road) between Route 460 (Confederate Boulevard) and Route 1001 (Lee-Grant Avenue). The subject property is identified as Tax Map #76 (A) 158 and is approximately 6.19 acres in size. The property is zoned A-1, Agricultural District. The applicant is requesting a variance of 21 feet from the side yard setback to the northern property line adjacent to the Norfolk-Southern Railroad line for the expansion of the existing building.

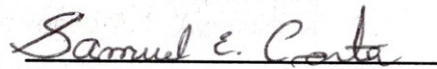
Mr. Roark asked if anyone wished to speak for this petition.

Rev. Geoffrey Hubler stated it was a privilege to represent both the Appomattox Anglican Church and the Christian Academy. They are petitioning a variance to the side yard setback in order to enlarge their present building.

Mr. Roark asked if anyone else wished to speak for or against this petition.

Hearing none, Mr. Roark turned the meeting back to Mr. Carter.

At 7:07 p.m. Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

On Tuesday, September 5, 2006 the Appomattox County Board of Supervisors held it's regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator

Johnnie Roark, County Planner

At 6:30 Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**

There were 3 items to be added to the Agenda.

- 9A. Appointment to Social Services Board**
- 9B. VDOT Resolution**
- 9C. Courtland Field Stage Ribbon Cutting**

Mr. Carter stated the next item on the agenda was **Citizen Public Comment Period:** This time is provided by the Board to allow citizen to appear and to discuss issues that are of importance to the citizen.

Dr. Betty Siano, Appomattox, VA: Dr. Siano thanked the Board for allowing her to speak. Water is not a privilege – it is a basic human need and this is the moment of truth for the people of Appomattox. Dr. Siano referenced an article in the News & Advance regarding the kind of things that are going into the James River and into the Otter River and into every other source of land water, and they are so environmentally infested that over 10,000 people have died of water related diseases. She is saying this is the moment of truth because she understands that we don't have the money to pursue a lot of things we would like to pursue. But she will support anything and everything to make Appomattox a better town. She has fought diligently and with every bit of her passion about the waterline. She truly believes that her well, which does not come with fluoride, and doesn't have anything else, is the best source of water for her family. Whatever decision you gentlemen make, she is ready to work with you and for you to make this a better place to live.

Dr. Siano also stated that she received a letter recently, that opened her eyes wider than they have been in 30 years. She joined American Express in 1964. After 42 years of being a member and she doesn't know how many citizens on the same system received the same kind of letter that she got. It said that you are now being moved out of the travel related services into the American Express Centurion Bank Services. She wasn't given the privilege to make this decision she just received a letter saying that she was being changed. She called American Express immediately and stated she was going to give up her membership after 42 years. Every American wants to have a say in what is happening in their lives. She is asking the Board to restore the kind of passion, the kind of life, that every Native American, everyone born in this country, so they will know they do have the right to complain and you have given me that opportunity. Also, that we do have the right to pursue what we believe is correct. She hopes that if we do not get the waterline that you gentlemen will not feel that you have been defeated in this. She thinks that God's will is always victorious. She promises that you can count on her. Thank you for your patience and your time.

Mr. Carter then called attention to the **ADMINISTRATIVE ITEMS:** (Items 1-9)

1. **Claim for Damages:** We have received a claim for damages from Ms. Susan Holt. Mr. Overstreet has reviewed the information pertaining to this claim.

Mr. Overstreet commented on Section 15.2-1245 in the Code of Virginia that says that in order to make a claim against the County, you have to go through a certain procedure and if the County Attorney feels this claim has no merit, he is to advise the Board as such. The thrust of this complaint is the lady's pet was killed by some dogs and we do not have a leash law in Appomattox and in order to protect her property she had to construct a fence to keep the other dogs out. She is submitting a claim against the County requesting the cost of the fence. The County does not have any authority to honor this claim. He would ask that the Board deny this claim and we proceed with notifying Ms. Holt of this decision.

Mr. Craft asked what the dollar amount was of this request. Mr. Overstreet replied \$8,000.00.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to deny this request for damages from Ms. Susan Holt. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Amend Job Description:** Mrs. Rockefeller, Landfill Supervisor and Ms. Ferguson have seen the need to amend the job description for the Landfill Maintenance Worker to include Landfill Mechanic. We have added several requirements to this job description, such as, requiring a CDL. We are requesting the Board approve the amended job description.

Ms. Ferguson commented that they revised this job description after working someone in this position for years and seeing what that position really required. The changes were made to make the job description more realistic as to what the individual was actually doing on a day to day basis. Plus, this individual fills in when any of the other operators are absent.

Mr. Conrad asked if an individual needed to have a CDL before applying for this position or would they be given the opportunity to get one later.

Ms. Ferguson answered that if an applicant had another type of CDL, they would probably be hired with the understanding that they would have to get the correct one within a certain amount of time. If they had no CDL at all, they would not be qualified.

Mr. Craft made a motion, seconded by Mr. Moore, to amend the Job Description for the Landfill Maintenance Worker to include Landfill Mechanic and require a CDL. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Scheduled Meeting with Town of Appomattox:** As you are aware, when we schedule our meetings for the year, we try to schedule several meetings with the Town of Appomattox. One such meeting has been scheduled for Monday, September 11, 2006. County Administrator knows of nothing particular that we

have coming up that would make it necessary for us to meet with the Town Council at this time.

Staff recommends canceling this meeting unless the Board knows of something that we need to discuss.

Mr. Moore made a motion, seconded by Mr. Conrad to cancel the meeting with Town Council scheduled for Monday, September 11, 2006 as there is nothing pending that needs to be discussed. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Concord Water Line Extension:** We have received a letter from David Laurell, County Administrator for Campbell County. Mr. Laurell has explained that Campbell County will need a resolution from the Board of Supervisors by September 15, 2006 stating whether we wish to purchase water from Campbell County. We will then need to provide proof of financing by December 1st.

Staff recommends scheduling a meeting for the week of September 11th to make a final decision on whether Appomattox County will participate in this project.

After some discussion, the Board agreed to schedule a meeting on Tuesday, September 12, 2006 at 6:30 p.m. at the Appomattox Community Center.

5. **Dam Problems in Appomattox County:** The Robert E. Lee Soil and Water Conservation District writes concerning dams that are located in Appomattox County and problems that exist with these structures. Mr. Michael J. Russell, Chairman, has offered to come and explain these concerns to the Board.

Staff recommends scheduling Mr. Russell to appear before the Board to discuss the problems with the three (3) dams that are located in Appomattox County.

It was the consensus of the Board to invite Mr. Michael J. Russell of the Robert E. Lee Soil and Water Conservation District to attend the meeting to be held on September 18, 2006.

6. **Request for use of Courthouse Square during Railroad Festival:** The Appomattox County Historical Society is asking for permission to use an area in front of the museum on Railroad Festival week-end to raise funds for the Historical Society. We have not received a request from the Festival Board, as of today, for use of this area.

Staff recommends allowing the Appomattox County Historical Society the use of part of Courthouse Square on Railroad Festival Weekend.

Mr. Moore made a motion, seconded by Mr. Conrad, to allow the Appomattox County Historical Society the use of a part of Courthouse Square on Railroad Festival Weekend. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Funding to Restore Air Service between Lynchburg and Dulles:** Several meetings ago you reviewed a request from the Lynchburg Chamber of Commerce for funding to assist with restoring air service between Lynchburg Regional Airport and Dulles. You requested that the EDA consider this request and they reported that they felt it was a necessary link for businesses in the area. You then asked that we return the request to the EDA to see if any businesses in the Appomattox area use air service and if they feel that this is important to their business operation. Mr. Spencer has provided information on this subject.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to donate \$3,292.00 to the Lynchburg Regional Chamber of Commerce in support of establishing an air carrier between Lynchburg Regional Airport and Dulles International. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Historic Appomattox Railroad Festival Parade:** We have received a letter and application from the Historic Appomattox Railroad Festival to see if you wish to participate in the Parade this year.

Ms. Ferguson was instructed to notify the Historic Appomattox Railroad Festival Committee that the Board of Supervisors would be participating in this year's parade. It should also be noted that the members will be walking.

8. **Ad for the "Miss Appomattox Festival 2007":** The Appomattox County Chamber of Commerce is once again holding their annual Ms. Appomattox pageant. They are asking if the Board would like to place an ad in the program for the pageant.

Mr. Craft made a motion, seconded by Mr. Moore to purchase a ¼ page ad in the "Ms. Appomattox Festival 2007" program in the amount of \$25.00. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next asked **Robert Pankey** to address the Board: Mr. Pankey has requested to meet with the Board to discuss water rates that the Town of Appomattox is charging out of Town customers. Mr. Pankey would like the Board to negotiate with the Town on behalf of the out of town customers.

Mr. Pankey began by thanking the Board for giving him and other residents of Walton Place the opportunity to discuss the water rates. He asked several of the residents to stand and give the Board their water rates.

Brenda	June - \$41.05	Aug. 85.96 (consumed less water)
Pete	12 month's old rate \$25.10	New \$88.18
Ray Lawson	22.10	98.17
Larry	37.00	98.00

Cecil		131.47
Linda	27.00	61.53
Unidentified	44.00	60.00 & 93.72

Mr. Pankey said he thought this would give the Board an idea of what they were dealing with. He has done considerable research on this matter. He has been a resident of Walton Place for 26 years and a resident of Appomattox County for 68 years. When he first bought the lot in Walton Place, the well was in place and water run to each of the lots. Some of the lots were not large enough to support a well, but even if they were large enough, connection to the sub-division well was mandatory. Up until five years ago, Red Jamerson, was the water department. He read the meters and sent out bills written in pencil. It only took Red one to two days a month to maintain the water system in Walton Place. This included, testing the water, reading the meters and billing. The Town of Appomattox has a budget for their water system of approximately one-half million dollars. When Red could no longer manage the job of taking care of the Walton Place Water System, Bill Jamerson, his nephew, gave the wells to the Town of Appomattox and paid them \$20,000. In return the Town of Appomattox agreed to furnish water to the planned Walton Place Extension, including Turkey Road. As a result of that deal, Appomattox Water Department installed a 12 inch waterline from the town to Walton Place to supplement the town's water supply. There is a 4 inch waterline supplying the homes in Walton Place. Residents have seen nearly a 200% increase in their water bills in the last two years. The residents in the Town of Appomattox have elected officials to negotiate their water rates for them. We, the County residents would like for you, the County Board of Supervisors, to negotiate water rates for us. He understands the Board of Supervisors regulates the rates for non-essential services, such as cable TV. If you can do that, certainly you can regulate water rates, as water is essential for life. He personally does not feel that Walton Place home owners should be paying anymore, if as much, for water as the people in the Town of Appomattox. The very wells that were drilled to supply water to the Walton Place homeowners and was the centerpiece for lot purchases, is now supplying water to much of the Town of Appomattox. However, the homeowners for which the wells were drilled, are paying approximately double what is being charged in Town for water. This bears repeating ...the very wells that were drilled to supply to Walton Place homeowners, and was the selling point for lots that we purchased, is now supplying water to much of the Town of Appomattox. However, these homeowners for which the wells were drilled are paying approximately double the rates of town owners. We at Walton Place are appealing to you, our elected representatives, to please negotiate a fair deal on our water rates. The rates have increased about 200% in the past two years. What do we have to look forward to in the future. If someone does not put a control on this, it will go clean out of control. Thank you.

Mr. Carter commented that he is one of the "in town users". His question is when you appeared before the Town Council, the Council said that they were going to revisit this issue and he is assuming that they did re-visit this concern, have they gotten back in touch with you?

Mr. Pankey, further stated that most of the Walton Place homeowners are retired and on a fixed income. This sort of increase in water rates is very difficult to handle.

Cecil May, 754 Acorn Drive, Walton Place: Back in late June or early July he read in the "Times-Virginian" that the town had decided to increase the water rates in Walton Place again. He really didn't pay too much attention to what they quoted that rate to be. He assumed it would be 5, 10 or maybe as much as 20% increase, but when he received his bill on August 1st, it was \$131.47. Needless to say, he was a little bit shocked. A couple of months prior to that, and a bill for exactly the same number of gallons and it was for \$57.70. This is a 228% increase basically in one month. There was a rate increase on July 1, 2004 exactly two years earlier and a bill for the same usage would have been \$47.10. If you received your electric bill next month and realized it had increased 228% or 358% , he would be willing to bet that you would be quite upset. However, there is something in place to prevent that from ever happening, the State Corporation Commission. They make sure that no utility comes up with unjustified utility increases. You might say the State Corporation Commission represents you and me, but unfortunately, we right now, do not have anyone to represent us. That means we do not vote for Town Council, because we do not live within the town. We feel this rate increase was unjustified and without proper consideration. We went before Town Council and expressed our views and were given three (3) reasons for why they feel they should do this: 1) We don't pay Town taxes and therefore, we should pay more to make up for the town taxes, this to me is "taxation without representation". 2) the water system should be self-sufficient, therefore, everyone will pay more. 3) We need to force conservation. I would think that the majority of the water systems operation each month would consist of fixed costs. Also conservation of water usage, would create decrease in water usage, and cut into the operational costs, and therefore they would have to increase rates to cover the lost revenue.

There has been much talk recently regarding the need for a water line. Right now, the cost for water to the town is pretty much free. If they were buying water, what do you think the rates would be. With 50% of the residents being on fixed income, how many years in a row can we afford an increase. You are truly the only people that we elect or vote for, and we are asking you to negotiate and set rates for the out of town users of the town water system.

Mr. John Archer: He sent an e-mail to Mr. Wilson, week before last and on the 18th he received an answer from him and he indicated that the town pays 20% more than the residents of Walton Place in taxes. This does not hold water, because he said they had a lot of elderly people in town. Another thing was that no matter what, water rates were going to be high. This leads me to believe that "nothing is going to be done about it, period". The real kicker is the fact that he in his e-mail extolled the virtues of a democracy, but people in Walton Place have no democracy, we don't have a voice. He did say they could put him (Mr. Archer) on a committee, but he would not have a vote. This leaves no reason to be placed on a committee. According to someone he spoke with recently, legally the governing body in charge of the water supply's origin should have some say so in setting the rates. He is asking the Board to cross swords with the Town Council and negotiate a lower water rate for the residents in Walton Place.

Mr. Carter stated that because the Walton Place residents do not have a representative, on Town Council, and because you are county citizens, but mainly because you do not have anyone to turn to, we have exceeded our "house rules" of fifteen minutes to talk

about any one subject, and because you do not have representation, we are extending the time limit to give everyone an opportunity to express themselves.

Mr. Howard Gregory: He appreciates the latitude the Board has granted in extending the time period for comments. He also appreciates the research the other speakers have put into this problem. He agrees with everything that has previously been stated and he feels this is a gross injustice and he asks that they, the residents of Walton Place, be treated according to the rules as other folks. He takes a lot of pride in living in Appomattox County and would appreciate any assistance the Board can render in this particular situation.

Dr. Betty Siano: This is the very point she has tried to make for the last two years, if we have a public service authority, we will be in the same boat. We have these men as representatives and they are all good, honorable men. If we allow Region 2000 to persuade the Board to go into a public service authority, you won't even have them to speak to. The public service authority would have public domain, we would have no representatives, but this is still a democracy. This is still our country. We still need these type of representatives, where we can come up and pour our hearts out to you and you will listen to us, whether it be the County or Town. We don't need a public service authority, we don't need anything else but our own representatives that we can complain to, nag and everything else, but they are OUR representatives. I want to apologize the each and every one of them.

Mr. Carter thanked each and everyone that has spoken on this subject which is dear and close to your hearts and pocketbooks. We will make an effort to converse with Town Council about this subject. None of us know what the outcome will be, but we can only relay to them your concerns and the concerns that we have as Board Members and representatives of the County.

Mr. Overstreet: He can sympathize with these people and he has taken some notes. It may take some time for him to analyze them and he has some thoughts on it, but he is not sure he is the person to do this. When he was County Attorney for Bedford County, the Town wanted to put some wells in the County, they filed a suit prohibiting them for doing this, the Supreme Court appointed, according to statute, a three (3) judge panel, who came down to Bedford and listened to two (2) days testimony. He wrote a 40 page brief and received after that, an opinion that was about two (2) sentences long that said they were granting the Town the authority to put the wells in. That is his experience in dealing with wells. He would like to say that we are a Dillon Rule State, and our County only has those authorities given to us by State Code. We are a creature of State Government and whatever they dane to give us, we have. This frustrates Counties.

Some very good comments were made with regard to Cable Television. There is a statue on that allows communities to franchise and that is where you get control of these people. You still have trouble controlling the rates, but you can do other things to try to have some leverage.

The Town is not taxing you, and what they are going to tell you is, we have individuals in our Town Government that are spending time doing things concerning utilities that aren't really reflected in the utility budget. They may have their Town Attorney, the Town Manager, who are getting paid a salary somewhere in the budget, but is spending 50% of his time some other place and this would be reflected there in the budget. What the Town needs to do is to make an enterprise fund where you allot so much of his time to that so they can give you some figures and say here is exactly what it is costing us to operate the water line. If it doesn't do this, they will come to you and say our citizens are paying taxes to pay the Town Manager's salary and the Town Attorney's salary and the other people, you are not, and we are taking money from that fund and using it there. You need to ask them to show you some figures. One other thing, the point about the Sheriff's Department and the Landfill, which are governmental functions and cases say that providing water service outside your community is a proprietary business, like selling apples. The same rules that are providing governmental functions is different when you are providing pro-proprietary. There are not many cases that talk about what we can do about rates and having any leverage, he doubts we have any. Most of the cases that come up are when people in the County, want the Town to provide water. There are issues when you serve and when you don't serve. The thing he will leave you with is if you can find some authority that the County can get involved with these rates, let him know and he will look into it. The things you can do, is when the Town does charge you, those rates have to be reasonable and have to reflect the service they are providing you. They cannot just say, we want 50% more from you but what they can say is because of the distance and we have to pump the water, and if they can justify the cost, then they can do this. Otherwise it is unreasonable. You would have to bring action against the Town and hire an attorney.

Mr. Carter stated they would do their best to discuss this with the Town Council and get back to the residents at a later date.

Mr. Conrad made the statement that he supports his community's interest, but he did not sign the petition.

Mr. Armbrust believes we, as a County Board, should look into this. These are county taxpayers and we are their representatives. Some of the things he has heard are ridiculous. He feels the Town Council should be put on the spot and provide some answers. This does not make sense.

At 7:45 p.m., Mr. Carter called for a brief recess.

At 7:50 p.m. Mr. Carter reconvened the meeting and called for the next item on the agenda.

9A. Appointment to Social Services Board: Mr. Conrad and Mr. Carter have selected an individual that is willing to serve on the Social Services Board to fill the unexpired term of Judy Covington through January 2008.

Mr. Conrad made a motion, seconded by Mr. Moore, to appoint Mr. Nelson Mann to serve on the Social Services Board to fill the unexpired term of Judy Covington which

expires on January 1st, 2008. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 9B. VDOT Resolution:** VDOT has provided a resolution for your approval accepting a portion of the access road to the New Elementary School into the state system.

Mr. Conrad made a motion, seconded by Mr. Armbrust to adopt the following VDOT resolution accepting a portion of the access road to the New Elementary School into the state system:

RESOLUTION

WHEREAS, the road described below provides access for school bus traffic from State Route T-691 to Appomattox Elementary School, a public school,

WHEREAS, construction of the road is complete and meets standards, deemed by the Department of Transportation, appropriate for the traffic anticipated,

WHEREAS, construction was financed by sources other than those administered by the Virginia Department of Transportation.

WHEREAS, the School Board of Appomattox County and this Board hereby guarantee a right of way of 50 feet and additional drainage and slope easements as necessary for maintenance of the road,

NOW, THEREFORE, BE IT RESOLVED, the School Board of Appomattox County and this Board, pursuant to Section 33.1-68, Code of Virginia, request the following road be added to the Secondary System of State Highways,

Name of Road: Kids Place Lane **Length:** 0.21 miles

From: 0.04 mile south of Route T-691 (Lee Grant Avenue)

To: 0.25 mile south of Route T-691

Plat Recorded, Date: 01/28/2000 **Plat Cabinet:** #1 **Slide:** 36G

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator of the Virginia Department of Transportation.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 9C. Courtland Field Stage Ribbon Cutting:** The Board has been invited to attend a ribbon cutting ceremony for the new pavilion on September 6, 2006 at 11:45 a.m. in Courtland Field.

Mr. Craft, Mr. Carter, Mr. Conrad and Mr. Moore will be attending the ribbon cutting ceremony at 11:45 a.m. on September 6, 2005 at Courtland Field.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 10–14)

- 10. Approval of Minutes:** Please approve minutes of Regular Meeting on 8-21-2006 and Joint Meeting with Planning Commission and Board of Zoning Appeals on 8-21-2006, as presented.

- 11. Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

12. **State and Local Hospitalization:** Please appropriate by consent and supplement \$193.81 to 5302-5304 State and Local Hospitalization.

LINE ITEM TRANSFERS:

13. **Board of Supervisors:** Please transfer by consent \$8,406.38 from Operating Reserve in the Board of Supervisors budget. \$4,606.83 to 1101-3002 in the Board of Supervisors budget to cover professional services in connections with the Regional Jail Project and \$3,800.00 to 8105-6015 to pay HDH for professional services associated with the CVCC Satellite Campus.

14. **Sheriff's Department:** Please transfer by consent \$304.61 from 3107-1004 Overtime to 3107-2001 FICA.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter presented the **INFORMATIONAL ITEMS:**

15. **Appomattox Heritage and Recreational Trail Forum:** Please find enclosed an invitation to attend the Appomattox Heritage and Recreational Trail Forum scheduled for September 6, 2006 from 10:00 a.m. – 12:00 noon or 6:00 p.m. – 8:00 p.m. Your input will be valuable to creating the vision for Appomattox.

Mr. Carter informed everyone that the Appomattox Heritage and Recreational Trail Forum was very important and if possible, plan to attend one of the two sessions.

16. **Pamplin Volunteer Fire Department Open House/Fund Raiser:** We have received an invitation to an Open House/Fund Raiser for the Pamplin Volunteer Fire Department and Emergency Medical Service to be held on September 10, 2006 from 1:00 p.m. until 3:00 p.m.

17. **Appomattox County Rescue Squad:** Please find enclosed a thank you note from the Appomattox County Rescue Squad for your annual donation.

18. **Robert E. Lee Soil & Water Conservation District:** Minutes of the July 20, 2006 Board of Directors meeting for the Robert E. Lee Soil & Water Conservation District.

Also, Mr. Gilliam Cobbs is retiring from the Board of the Robert E. Lee Soil & Water Conservation District when his term ends December 30, 2006. Mr. Calvin Johnson has been appointed as his replacement.

19. **Agenda for Town of Appomattox:** Agenda for Town Council meeting of August 29, 2006.

20. **United Way of Central Virginia:** The United Way is kicking off their 2006 Annual Campaign during the month of September. They have provided a lot of information on what they do and the services that they provide. Ms. Ferguson feels that this is excellent information that you will find of value.

21. **Supervisor Concerns:** Mr. Carter asked if any member had anything to discuss at this time.

Mr. Craft made a comment about some misinformation that was printed in the paper from one of the routine letter writers speaking about the Town of Orange building a new motel, having a reservoir and wells, and not having any problems with water. He talked to the County Administrator of Orange recently and was informed that they are in desperate need of water at this time. The County buys water from the Town Water Authority and they are asking people to voluntarily conserve water.

Mr. Carter then asked **Johnnie Roark, County Planner** to address the Board. Mr. Roark is meeting with the Board to review some proposed changes to the zoning ordinance and answer any questions that you may have.

Recently the Planning Commission decided to take on the task of rewriting both the Sub-division Ordinance and the Zoning Ordinance. In doing so, they thought they could leave the current Zoning Ordinance alone, but they would like at this time, to make a proposed amendment to that ordinance. At the last meeting, they decided to make a recommendation to move forward with an amendment to Section 170-25, which addresses uses not delineated in the Zoning Ordinance. Right now, if you look at the permanent chart and our conditional use chart, when a conditional use is approved, then the approval will automatically amend the zoning ordinance to allow for this use as a conditional use anywhere within that zoning district. They think a better way of doing things is to take out Section 170-25 and then when someone comes in with a use that is not on the charts, have them apply to the Planning Commission to amend the ordinance to that use. In order for us to move forward, the Board needs to advertise for a Public Hearing on Zoning Ordinance Change.

After a lengthy discussion, a Public Hearing was scheduled for October 16, 2006 at 6:00 p.m. at the Appomattox Community Center to receive comments on the Amendments to the Zoning Ordinance.

Mr. Roark called attention to the Draft of the Sub-division Ordinance handed out just prior to the meeting. One of the bigger changes in this Ordinance is the Family Division Section. At the present time, you have to have a minimum of three (3) acres to divide off for a family member. That seems punitive somewhat. In the new ordinance the lot size for a family division will become whatever the zoning is for the underlying zoning district. (i.e., A-1 would be one (1) acre). The lot size has to conform to the zoning district, not to road frontage. The other major change would be in Sub-divisions. New Sub-divisions would have to be on a public street/road, dedicated to VDOT to be put into the system. Under the present ordinance, you have an exemption to build a private street/road. This will not be allowed, you would have to construct a state maintained road. There is an allowance to private streets in town as VDOT would never take in this type of roadway.

The Planning Commission will be holding a meeting with the Board in the near future.

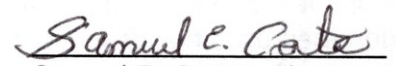
Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

**MONDAY, SEPTEMBER 18, 2006 @6:30 P.M.
REGULAR SCHEDULED MEETING
COMMUNITY CENTER**

**MONDAY, OCTOBER 2, 2006 @ 6:30 P.M.
REGULAR SCHEDULED MEETING
COMMUNITY CENTER**

At 8:14 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, September 12, 2006, the Appomattox County Board of Supervisors held a Special Called Meeting at 6:30 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:

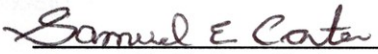
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and welcomed everyone present. Mr. Carter then gave the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter announced that due to the fact that the full Board of Supervisors was not present and the serious nature of the called meeting, they would take a fifteen (15) minute recess in order to try to reach Mr. Moore.

At around 6:45 p.m. Mr. Carter stated that due to the fact that they could not get in contact with Mr. Moore, and the serious nature of the meeting, the Board will discuss this issue at the meeting on October 2, 2006. Ms. Ferguson was instructed to contact the Campbell County Administrator and ask that they withhold their proceedings until after October 2nd, giving the Board time to meet. Hopefully, Campbell County will be willing to work with us past the original deadline of September 15th 2006.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)


 Samuel E. Carter, Chairman

On Monday, September 18, 2006 the Appomattox County Board of Supervisors held it's regularly schedule meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: Thomas H. Conrad – Falling River District

ALSO PRESENT:
 Aileen T. Ferguson, County Administrator
 John K. Spencer, Jr., Assistant County Administrator
 John G. Overstreet, County Attorney
 Johnnie Roark, County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation. Everyone was invited to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

There were no items to be added.

Mr. Carter then asked for **CITIZEN PUBLIC COMMENTS:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance to the citizen.

No one wished to make comments at this time.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1 & 2)

1. **Library Board Appointment:** Due to the fact that Ms. Nina Beasley has resigned from the Library Board, an appointment is needed from the Wreck Island District to fill her unexpired term. Since no one responded to the advertisement, it is recommended that Mr. Armbrust make a recommendation to fill this vacancy.

Mr. Armbrust suggested that this item be placed on the agenda for the next meeting.

2. **CVCC Roof Replacement Addendum:** It has been determined that an additional section of the roof over the 3rd grade wing should be replaced. The area is immediately adjacent to CVCC's IT Room, causing concern that the college's electronic equipment could be harmed due to roof leaks. The new roof would cover the lobby in front of the auditorium, an area with new drywall and doors which could also be negatively impacted by leaks.

John T. Morgan Roofing & Sheet Metal Company, currently under contract to replace the roof over the 3rd grade wing and the original Carver building, has submitted a price of \$24,341 to replace this roof section. This price is similar in square footage costs to their low bid for the other work.

Ms. Ferguson stated this was actually a change order to the original contract. Eventually, the whole roof will have to be replaced.

Mr. Spencer stated that apparently there is a seam in the roof and this additional roofing will take care of the roof from the Advance Auto end the whole way up and over the top of the entire section to be used by CVCC.

Mr. Moore made a motion, seconded by Mr. Craft, to authorize J. T. Morgan to replace the extra section of roof, for a cost not to exceed \$24,341.00. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 3 -9)

3. **Approval of Minutes:** Please approve minutes of Regular Meeting on September 5, 2006 and Special Called Meeting on September 12, 2006.
4. **Approval of Minutes:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

5. **Sheriff's Department:** Please appropriate by consent and supplement \$340.48 to the Overtime line in the Sheriff's budget for reimbursement received from Express Lane.

Please appropriate by consent and supplement \$12,500.00 to the DMV Grant line in the Sheriff's budget for a grant received from the Department of Motor Vehicles.

6. **Building Inspection:** Please appropriate by consent and supplement \$340.35 to the Building Inspectors budget for books purchases and reimbursement received from a contractor.
7. **Library:** Please appropriate by consent and supplement \$576.90 to (7301-5401 \$325.00 and 7301-5411 – \$251.90) the Library budget for donations, book sales and book replacement fees.
8. **Capital Projects:** Please appropriate by consent and supplement the following for the balance of bond proceeds:

9104-7001	Animal Pound	\$ 62,394.00
9104-7002	E911 Center	161,550.00
9104-7003	Landfill Cell	2,256,841.00

FUND TRANSFER:

9. **Sports Complex Fund:** Please transfer by consent \$1,118.78 from the Sports Complex Fund to the General Fund to pay bills for August 2006.

Mr. Moore made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called attention to the **INFORMATIONAL ITEMS:**

10. **Letter to Campbell County:** Letter to Campbell County requesting an extension of the timeline for notice concerning the water line as instructed on September 12, 2006.
11. **Region 2000 Local Government Council Newsletter:** Copy of Region 2000 Local Government Council's newsletter for September 2006.
12. **Appomattox Town Council Agenda:** Agenda for the September 11, 2006 meeting of the Appomattox Town Council.
13. **Planning Commission Minutes:** Minutes of the August 21, 2006 Planning Commission meeting for your review.
14. **Appomattox County Public Schools:** Monthly financial report for August 2006 for the public school system.

15. Thank You Note: Progress report and thank you note from Jillian Mitchel.

Mr. Carter asked for **SUPERVISOR CONCERNS:** (Item 16)

Mr. Armbrust has some concerns regarding the use of the old elementary school cafeteria by the Wrestling Team that was discussed several meeting back. He has had a couple of parents approach him regarding this issue. He feels the Board should re-visit this and see what we can do. If the wrestling team cannot find a place to practice, this program may go under. He feels we may be able to accommodate them on a temporary basis, at least for one year. He would like to discuss this with Ms. Ferguson and Ms. Dixon.

At 6:42 p.m. Mr. Carter called for a brief recess.

At 7:00 p.m. Mr. Carter reconvened the meeting and asked **Ms. Rhonda J. Knight, Director of Development, Virginia Legal Aid Society** to address the Board. MS. Knight has requested to meet with the Board to explain the services that Virginia Legal Aid Society provides for citizens of Appomattox County.

Ms. Knight thanked the Board for letting her to present a brief presentation. The Virginia Legal Aid Society's commission is resolve serious legal problems of low income people, to promote economic and family stability, reduce poverty through effective legal assistance, and to champion equal justice. They are a non-profit law firm that provides free legal information, advice and representation in civil cases to low-income individuals and families. We use skills to solve problems in health care, public benefits, housing, family relations, wills and powers of attorney, education, consumer transactions and jobs and job training. For more than twenty-five (25) years they have been the only institutional provider of such services in Central, Southside and Western Tidewater Virginia. There is no competition in this area for Virginia Legal Aid Society. They have offices in Danville, Emporia, Farmville, Lynchburg and Suffolk. In these offices we have a full time able attorney who only works for the Virginia Legal Aid Society, paralegals and administrative personnel.

Clients must have incomes below 125% of the federal poverty level (i.e. \$20,750 for a family of three). Ms. Knight presented several statistical reports on cases for Appomattox County for the FY05-06. She also gave a brief report on their work and case stories. Since they do not charge any clients, they must rely on other sources of funding for their income. Since 2003 their funding from state and federal resources has been on the decline, and they are in need of help from the local governments and at the present time they have eleven (11) that are providing funding.

Mr. Armbrust asked if Ms. Knight could give the Board some examples of the funding provided by the other local governments. She did disclose these donations.

Ms. Ferguson stated that Ms. Knight came to her and they discussed the fact that we get a funding request from Legal Aid every year at budget time but because of all the other things, and because of the fact that her letterhead is not very attractive. They discussed when was a good time to talk to the Board. Generally, if Appomattox County

citizens are directly affected in some way, you make every effort to participate in funding. Rather than do this at budget time, when there are so many requests, she asked Ms. Knight to wait until things were a bit calmer. The main purpose for her being here tonight is to say "please don't forget me in another budget cycle".

Mr. Craft asked if we had any monies available at this time.

Mr. Carter asked a couple of questions: What is your relationship to Social Services in this regard? Ms. Knight replied: "Most often when people go to Social Services many times they don't have the proper identification or don't have the proper documentation, and they don't bother returning." Take the case of an elderly lady going to apply for Social Security benefits and Medicare, was told she could not receive them because she did not have a Social Security number. She was not able to get a Social Security number because she did not have a birth certificate. Virginia Legal Aid Society, through obtaining school records, helped her apply for a delayed birth certificate and was then able to apply and receive the benefits to which she was entitled.

After a brief question and answer session, Mr. Armbrust made a motion, seconded by Mr. Craft, to make a donation of \$2,000.00 to the Virginia Legal Aid Society. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes- 1 absent).

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

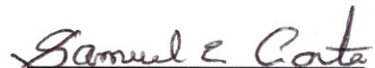
OCTOBER 2, 2006, @ 6:30 P.M.
REGULAR SCHEDULED MEETING
COMMUNITY CENTER

OCTOBER 16, 2006 @ 6:30 P.M.
REGULAR SCHEDULED MEETING
COMMUNITY CENTER

OCTOBER 19, 2006
REGIONAL DINNER

OCTOBER 23, 2006 @ 7:00 P.M.
JOINT MEETING WITH SCHOOL BOARD
SCHOOL BOARD CONFERENCE ROOM

At 7:30 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft to adjourn. VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes - 1 absent)


 Samuel E. Carter, Chairman

On Monday, October 2, 2006, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:32 p.m. Mr. Carter called the meeting to order, welcomed everyone present and asked Mr. Conrad to give the invocation, after which he asked everyone present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

8A. Commissioner of Revenue

Mr. Carter then opened the meeting for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

Raymond Mullins, Falling River District: He has lived in the community a long time and we have always talked about growth. There was a small step taken a few years ago, with the purchase of the Industrial Park property. Nothing has been done since. The county has to grow. We have to have jobs for our grandchildren. A lot of things should have been done 25 to 30 years ago, he asks that we continue to have growth in the county and vote yes on the water line.

Dr. Betty Siano, Falling River Acres: She has apologized to Mr. Moore for what she is about to say here today. In addition to the waterline, she is very concerned about growth in Appomattox County. Yesterday and today the News and Advance has had a full page ad by a realtor in Campbell County who was against the Campbell County authorities because they are trying to pass an ordinance that restricted some of the development of properties in Campbell County. If you have not seen this ad, she begs you to look at it and she begs you to take into consideration however you vote tonight to enact zoning very quickly so that we are not overcome by housing development rather than the desire to have manufacturing, shops or businesses that we are hoping to have. One of the consequences of joining Campbell County, as she sees it is, and if you saw the headlines today, it was all about Lakeside Center. Lakeside at first came to the attention of their Board because they were interested in putting housing there for the poor people. That soon got wiped away and now it is going to be another shopping center and a "big box center", as they call it. Are we going to become the source of

income for everybody in Lynchburg, or are we going to take care of our own. In taking care of our own, here is one suggestion: When a developer comes into the community, Campbell County is tagging what is called a "Proffer" of \$5,000 to \$35,000 for each home developed. Many of the discussion, we have had on this, is a result of having lived in the Northeast when the "Lovett Town" came into the city area of Long Island. Fortunately or unfortunately, as the case may be, someone had the wisdom to ask Mr. Lovett to be sure to put a certain amount for each house into the development of schools, so they had money in their coffers. If we don't protect ourselves, the minute the waterline comes in, everyone is going to be interested in coming here because there are not too many places for the "spillover" from Lynchburg. Consequently, the first item on the list, the realtors do not like is that the size of lots has been changed. We need to look at the minimum size of our lots, make sure that the property is adequate for the size of the houses being built. Where there is public sewer and public water available, there will be sidewalks, street lights, and all the other good things. Also, existing road frontage will not be able to be used in most cases. They will not have houses setting smack on every road frontage. There will be some pretence of a country side. The proposed ordinances even expand the requirements for landscaping. The crust of the matter is this puts the cost of the housing at \$350,000 and lots closer to \$55,000, well beyond the reach of most residents. The developers and the real estate people are the ones who are interested in what is going on here. They will be the first one in here to ruin our nice, peaceful community. Thank You.

Dale Campbell, 1536 Hummingbird Lane: It would be nice if we could keep things like they are, but we all know that we cannot do this. Taxes are going up and we must do something about it. We have to have economic growth. We, as farmers and landowners, cannot stand the increases in taxes. Personal property tax is going up, and we have a reassessment next year. His taxes are over \$6,000 a year. We need this waterline. We have done the studies on this and they show we need it. The IDA says we need it and he has had dealing with them and they have always been truthful. They have nothing to gain. Let's vote to have the waterline.

Robert Abernathy: In the 60's he lived in Lynchburg and they had a shortage of water. The water was so low, you could not wash white clothes, your car and anything, is this what we want? We should be able to control our own water. This deal is being pushed down people throats, we do not want anything pushed down our throats. We should pay off some of the debts we presently have before going into debt any further. We cannot afford to have any more tax increases.

Mr. Carter then moved to the next item on the agenda: **APPEARANCES.**

Mr. Michael Russell, Robert E. Lee Soil & Water Conservation District: Mr. Russell is appearing before the Board to discuss the physical state of the dams within Appomattox County.

Mr. Russell stated that as per his August 15th letter, there are three (3) dams that were built about 50 years ago. They have appointed a task force to look at some of the problems that have been associated with all of these dams. There are over 108 of these dams that are very similar to the ones we have in our county. Basically what they are

doing is asking us to take a look at an inundation zone. If and when a dam breaks the inundation zone that will be created by the flood waters, will be mapped and they want us to support them in having the General Assembly fund the engineering services that it will take to develop the inundation zone. There are a number of other things that are associated with this, but basically this is what their request is to the Board. They will also be dealing with Campbell County, Amherst County and other locations in the Commonwealth as well. They are putting us on notice that there is a draft legislation and as soon as they get this approved he will be sending it to the Board.

They are lucky to have Bobby Wingfield on their Board and they have an Emergency Action Plan that they are dealing with.

They recently had some improvements done to a dam in Henry County that cost almost 2 million dollars, because it changed from a Class 2 to a Class 1, which is a higher category. They are basically trying to give the Board an opportunity to determine where the inundation zone is so people will know if they are actually building in this zone.

Mr. Carter thanked Mr. Russell for presenting this information.

Mr. Carter next introduced **Mr. David Rose, Davenport & Company and Mr. Dan Siegel, Sands, Anderson:**

Mr. Rose and Mr. Siegel are appearing before the Board to discuss financing options for the proposed water line to Concord and other County projects.

Mr. Siegel was not able to attend the meeting. Mr. Rose presented the Board with a handout and a summary containing the financial information. He also introduced Mr. Ben Emerson, an attorney with Sands, Anderson.

Ms. Ferguson stated she had spoken with Mr. Rose about some projects the County may or may not be doing, just to get some idea of the impact and also the proposed waterline to give you some idea of the impact on taxes prior to making any type of decision.

Mr. Rose pointed out some of the things that he and Ms. Ferguson had discussed. There are a little more than \$1.5 million in immediate needs. This covers things such as CVCC renovation as well as the second phase of the elementary school.

As you can see, there are some additional needs that have been discussed. He is trying to get to the essence of the larger number of the Rustburg to Appomattox waterline and what is happening "cash flow" wise to the County. The strategy they will recommend is basically a two-fold strategy.

Finance roughly \$1.5 million by year end and do this through a bank placement. Secure bids for local banks and work through the Industrial Development Authority as a legal borrower.

Take care of the Rustburg to Appomattox waterline, recognizing that the money for this is not needed immediately but would be layered in starting sometime next year and done in two (2) parts.

Short-term financing - the reason for this is that cash flow wise, we know the project will take a while to be built and at the same time we also know that we have got the existing debt that the County is dropping quickly and we are trying to maximize the layering in of all the new debt over the course of the next five (5) years as the existing debt comes off your rolls. They wanted the Board to see how that would all look if we do this. What would be the impact to the citizens, to the County and to the overall general funds. They have also laid out some of the options but they took the worst possible case. For the immediate needs - if we were to do this, we see less than ½ of 1 cent impact on the real estate taxes. Translated, they may need as little as eleven (11) thousand additional dollars in the general fund in FY 2009 to take care of this need. To incorporate also the roughly 4.7 million dollars for the needs of the waterline we see that impact as possibly being from a little less than one (1) penny to about two (2) pennies and that impact would be felt in 2012. What they are really saying is on our worst case basis, you might have the equivalent impact of two (2) pennies in 2012. This gives us basically about five (5) fiscal years to work in all the revenues to offset the impact of the financing. Hopefully, this is the essence of this financing report.

Ms. Ferguson feels that the Board needs to have a work session schedule to discuss all of these projects. Some of these project absolutely need to be done and some that can be eliminated.

The Board will hold a work session at 6:00 p.m. on October 23, 2006 prior to the joint meeting with the School Board.

Mr. Carter next presented the **ADMINISTRATIVE ITEMS:** (Items 1 – 8)

1. **Vote on Concord Water Line:** The Board had previously set this date for voting on undertaking the Concord water line project.

Mr. Carter stated that the Board was in place tonight to finalize the waterline topic for Appomattox County. This subject has been around for thirty (30) plus years and it is time to act. We have received studies, input from our citizens through public hearings, EDA reports, Regional Reports and other informational sources in regards to water availability and economic development requirements. We deem this is an opportunity VS past, to make a conscientious decision whether to encourage growth and move forward or continue down the same complacent path that we are currently traveling. The decision that is made here tonight will have a heavy and dramatic impact on the future of our citizens and county. We take full responsibility for our vote, knowing that everyone will not be supportive. This is truly a vote for the future. Gentlemen, I will ask each Supervisor to share his thoughts and visions for the county on this subject prior to taking the vote.

Mr. Conrad: When he became a member of the Board about three (3) years ago, this was a subject that was prevalent at that time. We have discussed it many times since. Our knowledge has been that this is something that has been discussed by previous

Boards and citizens for the past four (4) years. He feels like at his age, he has seen a lot of different things as far as citizens responses to economic growth. No matter where you go, what county you are in, there will be those that are for it and those that are against it. Rural counties most of the time certainly have individuals that would like to maintain the status quo. He grew up in an area where there was nothing but wells. Of course, through the years, growth was stimulated by businesses moving in and infrastructure being built. Today, that county is certainly one of the fastest growing in the State. We, however, are not in that type of area, but we are still a county that has people in it, people have their needs and educational and business requirements and every day living requirements. This is going to require us, as a county, to be able to grown whether we like it or not and we are going to have to compete with other counties and areas around us. To say that we don't have to, is not logical. We are in a century where our pace of living is fast and things happen on a daily basis that would have taken months before. Because of that we are compelled to build the necessary infrastructure to make us able to complete as we grow and to live comfortably. Rural areas are certainly around but they are certainly not like they were in the 40's, 50's and 60's and they never will be again whether we like it or not. We have to grow and some of this growth is not by choice and we are mandated to do so. At this point in time, there is no other choice. You can say we could have a reservoir and our own water source, but as the studies have shown, that we are looking at a cost of 4.7 million dollars in several years, but yet again, if we went with a reservoir, it would cost us about 15 to 20 million dollars and more years into the future. This would cost us more in taxes in the long run. He was elected to take this material, study it to the best of his knowledge and make a good viable decision based on what he thought was best for the county. It certainly is more logical to vote in favor of the waterline.

Mr. Armbrust: We have had several water studies done and the first one was not as clear as the second one, the third one was clearer but he still has some unanswered questions. He, was also elected by the people to represent them by looking at the information provided to him. The concept of the waterline seems to be the most feasible at this time, but there are a lot of unanswered questions. There are questions regarding the negotiations for us as the consumer. What are we going to receive from this. The cost will be dependent on the size of the project. We need to take another look at this before making a decision.

Mr. Craft: He became interested in the waterline four or five years ago probably during the 2002 drought, when the town began having water restrictions. Both the Town Council and the Board of Supervisors wanted to bring some type of water into the County. It was stated that they would bring it from Lynchburg (Mt. Athos) area, and Campbell County spent the money to put a extra line in without us being fully committed. Now they want money to bring water to Concord. They are asking for that money now. He is not in favor of using taxpayer's money to pay for the lines as opposed to those who would be using the line. There are about 959 customers in town and about 150 outside of town that are hooked to town water. He felt that we could get together and set up a public service authority which some people don't like. The cost should be paid by those who will be using the water not tax monies. We don't know for sure that we will get more industries in here. He felt we could work with the Town on this project, even after the last elections. He has stated numerous times that the users

should pay the bill and he still feels that way. He does not feel the citizens in the outlying areas should have to pay for this waterline. It is his position that we not pursue the waterline alone.

Mr. Moore: He has talked to numerous people and has received a lot of feedback. The first thing he would like to say that the waterline has been recommended by a lot of people, who are in the know how, engineers, consultants, etc. When we look back we had lots of employers, the garment factories, etc, which are now all empty and gone. All we have now are homeowners, and property owners, paying taxes. The schools are growing all the time and will require more money all the time. We need something to back this up. We do need industry for a tax base rather than to raise taxes for property owners. The waterline will be beneficial to the County, therefore he supports this project.

Mr. Carter: Mr. Carter does not think he can add any more than what has already been stated. We need growth in order to maintain the quality of life we have and bring relief to the taxpayers of Appomattox County. Without business and industry, you are not going to have the tax base that is needed to provide the services necessary to running the county, police services, school teachers, etc. within the county. He is definitely in favor of the waterline.

Prior to the voting on this project, the Board needs to adopt the following resolution:

RESOLUTION

BE IT RESOLVED,

That the Appomattox County Board of Supervisors intends to secure its future water needs by purchasing water from the Campbell County Utilities Service Authority,

AND, THEREFORE, requests that those needs be included in the design for the construction of a waterline from Rustburg to Concord;

That the County of Appomattox has been provided with studies regarding the cost of construction of that waterline and is committed to this decision unless unforeseen factors arise which are not addressed in these studies;

That the County of Appomattox will make a good faith effort to secure financing and enter into a formal written agreement with the Campbell County Utilities Service Authority by December 1, 2006;

That this resolution, expresses the intent of this Board only and no County funds will be appropriated for this project until said agreement is signed by the parties.

Mr. Conrad made a motion, seconded by Mr. Moore, to adopt the above resolution to secure future water needs by purchasing water from the Campbell County Utilities Service Authority. ROLL CALL VOTE: Mr. Armbrust, nay; Mr. Conrad, aye; Mr. Craft, nay; Mr. Moore, aye; and Mr. Carter, aye. (3 aye votes – 2 nay)

At 7:25 p.m. Mr. Carter called for a short recess.

At 7:30 p.m. Mr. Carter reconvened the meeting.

2. **Setting Tools and Machinery Tax Public Hearing:** When the new Personal Property tax rate was advertised earlier in the year, the Tools and Machinery tax rate was not specifically mentioned. The advertisement was legally correct, but for clarification purposes, it is now felt that a public hearing should be held specifically on the Tools and Machinery tax rate. Due to advertising requirements found in the Code of Virginia, a public hearing has already been advertised for October 16th at 5:45 p.m.

Mr. Craft questioned the fact that this was for clarification purposes only. Everything was done legally from the beginning.

Mr. Moore made a motion, seconded by Mr. Armbrust, to hold a public hearing on Monday, October 16, 2006 at 5:45 p.m. for the Tools and Machinery tax rate clarification. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Personal Property Tax Relief Resolution:** On May 30, 2006, the Board adopted a resolution outlining how Personal Property Tax Relief will be administered. After actual figures were plugged into the formula, we are now able to provide 47.5 percent relief to taxpayers instead of 31.28 percent.

Ms. Belter, County Treasurer, gave a brief explanation of how this tax relief would work and who would benefit from it.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt the following resolution:

RESOLUTION

BE IT RESOLVED THAT in accordance with the requirements set forth in Section 58.1-39524 © and Section 58.1-3912 (E) of the Code of Virginia, as amended in Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503-E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly, any qualifying vehicle situated within the County commencing January 1, 2006, shall receive personal property tax relief in the following manner:

- Personal use vehicle \$1,000 (assessed value of \$500) or less will be eligible for 100% tax relief;
- Personal use vehicles valued at \$1,001 (assessed value of \$501-\$10,000) will be eligible for 47.50% of tax relief;
- Personal use vehicles valued at \$20,001 (assessed value of \$10,001) or more shall only receive 47.50% tax relief on the first \$20,000 of value; and

- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
- In accordance with item 503.1D1, the entitlement to personal property tax relief to qualifying vehicle for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed “non-qualifying” for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. Planning Commission Recommendation – New Subdivision Ordinance:

The Planning Commission has voted to recommend a new Subdivision Ordinance be enacted by the Board of Supervisors. A copy of the draft ordinance was presented to the Board at its September 5th meeting. A public hearing must be held prior to Board action to adopt.

It is recommended that a joint public hearing be scheduled for 6:00 p.m. on November 27, 2006 to solicit comments on the draft Subdivision Ordinance.

Mr. Craft made a motion, seconded by Mr. Conrad, to hold a public hearing on Monday, November 27, 2006 at 6:00 p.m. to receive comments on the proposed New Subdivision Ordinance. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 5. Re-Appointments to Board of Zoning Appeals:** The terms of Dale Campbell and Dot Wooten have recently expired. Both members have expressed a willingness to serve another five (5) year term ending in 2011. Under the Code of Virginia, appointments to the BZA are made by the Circuit Court judge upon recommendation of the governing body.

Recommendation is that the Board forward the names of Mr. Campbell and Ms. Wooten to Judge Blanton for consideration of re-appointment to the Board of Zoning Appeals for another five (5) year term to expire in 2011.

Mr. Moore made a motion, seconded by Mr. Conrad, to submit the names of Mr. Dale Campbell and Ms. Dot Wooten to Judge Blanton for consideration of re-appointment to the Board of Zoning Appeals for a five (5) year term to expire in 2011. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 6. Landfill Gas Extraction System Specifications:** The specifications for the Landfill Gas Extraction System have been completed and have been reviewed by Mr. Overstreet. This extraction system is required for gas remediation per DEQ.

Recommendation is that the Board approve putting the specified Gas Extraction System out to bid.

Ms. Ferguson explained that this system would recover the gases at the landfill, this is not an option. Estimates costs of this project are \$465,000 for the system and \$150,000 for the engineering fees for the installation.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to place the Landfill Gas Extraction system out for bids. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Library Board Appointment:** An appointment needs to be made from the Wreck Island District to fill Ms. Nina Beasley's unexpired term. We have run an ad but have had not response.

Mr. Armbrust stated he had spoken with Ms. Cindy Thomas and she is willing to fill the unexpired term of Ms. Beasley on the Library Board.

Mr. Armbrust made a motion, seconded by Mr. Craft, to appoint Ms. Cindy Thomas to fill the unexpired term of Ms. Nina Beasley on the Library Board from the Wreck Island District. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

8. **Letter of Support for U. S. Marshals Museum:** The City of Staunton is one of two cities competing to be the site of a new museum celebrating the history of the U. S. Marshals Services. The other finalist is Fort Smith, Arkansas. Staunton has requested letters of support from Virginia localities since it is felt that this new museum will be a benefit to the entire state.

After a brief discussion, the Board by consensus, agreed to write a letter of support to the City of Staunton, Virginia, supporting it bid for the U. S. Marshall's Museum.

- 8A. **Commissioner of Revenue- Presentation on Land Assessment:** Mr. Mays has contacted Ms. Ferguson stating that he has everything in order, done all the background work for the Land Taxation issue that he has been reviewing for the County and would like to schedule a work session to go over this information.

After some discussion, the Board elected to hold the Work Session for Tuesday, October 10, 2006 at 6:00 p.m. at the Old Juvenile and Domestic Courtroom.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 9 – 15)

9. **Approval of Minutes:** Please approve minutes for the Regular meeting on September 18, 2006.

10. **Approval of Bills:** Please approve bills for payment as presented.

LINE ITEM TRANSFERS:

11. **County Administration:** Please transfer by consent \$1,065.00 from 1101-5804 (Operating Reserve) in the Board of Supervisors budget to 3501-7005 (Motor Vehicle) Animal Control budget to pay for the new animal control vehicle.

SUPPLEMENTAL APPROPRIATIONS:

12. **Sheriff's Department:** Please appropriate by consent and supplement \$289.00 to 3301-3001 (Professional Health Services) for a check lost in mail and payment was stopped. This was out of last year's budget.
13. **Sheriff's Department:** Please appropriate by consent and supplement \$1,834.07 to 3102-1002 (Overtime) and \$151.93 to 3102-2001 (FICA) for monies received from Local Law Enforcement Block Grant for overtime.
14. **Economic Development:** Please appropriate and supplement by consent \$49,577.00 to 8105-6015 (CVCC Satellite Project) for contractors first payment for CVCC renovation project.

FUND TRANSFER:

15. **Sports Complex Fund:** Please transfer by consent \$2,467.12 from the Sports Complex Fund to the General Fund to pay bills for September, 2006.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:**

16. **High Bridge Progress:** Progress report on the High Bridge Trail State Park Master Plan process.

Mr. Craft gave a brief report on the High Bridge Trail State Park Master Plan as discussed at the last committee meeting.

17. **Town of Appomattox:** Town Council Agenda for their workshop meeting held on September 26, 2006.

SUPERVISOR'S CONCERNS:

Mr. Armbrust stated he will support the decision made on the waterline 100%.

Mr. Craft remarked that he too, would support the Board's decision.

Mr. Carter stated that he was proud of the Board of Supervisors and their willingness to work together.

Mr. Carter reminded everyone of the upcoming meetings.

UPCOMING MEETINGS

OCTOBER 16, 2006 @ COMMUNITY CENTER
5:45 P.M. – PUBLIC HEARING ON MACHINERY & TOOL TAX
6:00 P.M. – PUBLIC HEARING ON PROPOSED ZONING CHANGES
6:30 P.M. REGULARLY SCHEDULED MEETING

OCTOBER 23, 2006 @ SCHOOL BOARD OFFICE
6:00 P.M. – JOINT MEETING WITH SCHOOL BOARD
at School Board Meeting Room

OCTOBER 24, 2006 @ HOLIDAY INN SELECT, DOWNTOWN LYNCHBURG
4:30 P.M. – REGIONAL MEETING
5:30 PM. – RECEPTION

OCTOBER 30, 2006 @ COMMUNITY CENTER
7:00 P.M. – JOINT MEETING WITH TOWN OF APPOMATTOX, TOWN OF
PAMPLIN, APPOMATTOX SCHOOL BOARD. PRESENTATION BY MARK
CAMPBELL – VIRGINIA STATE POLICE ON GANGS IN OUR REGION

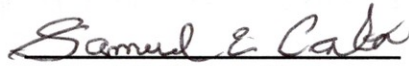
NOVEMBER 6, 2006 @ COMMUNITY CENTER
6:30 P.M. -- REGULARLY SCHEDULED MEETING

NOVEMBER 27, 2006 @ COMMUNITY CENTER
6:00 P.M. – PUBLIC HEARING ON NEW SUBDIVISION ORDINANCE
6:30 P.M. – REGULARLY SCHEDULED MEETING

DECEMBER 11, 2006 @ COMMUNITY CENTER
JOINT MEETING WITH TOWN

DECEMBER 18, 2006 @ COMMUNITY CENTER
6:30 P.M. – REGULARLY SCHEDULED MEETING

At 7:45 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE:
Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye.
(5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, October 10, 2006, the Appomattox County Board of Supervisors held a called Work Session at 6:00 p.m. in the Old Juvenile & Domestic Relations Courtroom located at 175 Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad – Falling River District (arrived 6:19 p.m.)
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
 John G. Overstreet, County Attorney
 John K. Spencer, Jr., Assistant County Administrator
 Johnnie Roark, County Planner
 Monte Mays, Commissioner of Revenue

At 6:00 p.m. Mr. Carter called the meeting to order, welcomed everyone present and asked Mr. Moore to give the invocation.

Mr. Mays handed out information pertaining to the value of land presently on the books. He also stated he had been chosen as the spokesperson for the Farmer Bureau and the farmers in the county. On behalf of these, he appreciates the time and opportunity to go over some figures that should take the guessing game out of where we stand. From 1978 to 1984 land values increased by 69%; 1984 to 1990 by 20%; 1990 to 1996 by 39%; 1996 to 2006 by 27% and the projected figures from 2002 to 2008 will increase by 216%. Land value on the books at the present time is \$224,560,700. This is land only, no buildings, etc. Land only.

Mr. Mays explained the various land categories such as Commercial, Building Sites, Swamp, Wooded, Cutover, etc.– Values Now and the Projected Value. Most of these projected values are on the conservative side. This does not include State or National Forest/Park land. His projections are that land values will double.

Mr. Mays next discussed the % of tax decreases after Re-assessment. In 1977-1978 the decrease was 34%; 1983-1984 - 8%; 1989-1990 - 0%; 1995-1996 - 35% and 2001-2002 - 22%.

Mr. Mays does not have any idea of the impact of land use. He has no way of knowing how many farmers will qualify or how many will be interested in taking advantage of this taxation method. Using the worse case scenario the tax rate would be .52 cents per 100 without land use and about .56 cents with land use. For the first year of land use, the cost will be \$12.00 per farmer, plus .12 per acre in application fees. This money will go directly to the Treasurer. Farmers must re-apply in six (6) years. Applications must be received by November 2007. Mr. Mays thinks this process may result in the creation of one (1) employee. He will take care of this the first year but after that, it will be some one else's call.

In the State of Virginia, 89 localities presently have land use. Buckingham will be going to land use shortly. Mr. Mays is proposing that wooded land be assessed at \$600.00 per acre and open land at \$600.00 to \$700.00. The income requirement is \$1,000.00.

We would need to adopt a land use ordinance six (6) months prior to re-assessment (7-01-07).

After a brief discussion period, Mr. Carter thanked Mr. Mays for his very informative presentation.

At 7:00 p.m. Mr. Carter called for a short recess.

At 7:12 p.m. Mr. Carter reconvened the meeting.

Mr. Carter presented other items for discussion.

1. **Proposed Capital Projects:** At the last meeting, each board member was provided with financial information concerning proposed capital projects that we need to discuss.

A.	County Administration Building	\$150,000
B.	CVCC Satellite Renovation/Repair	350,000
C.	Gas Remediation System	465,000
D.	Gas Remediation System Engineering	<u>150,000</u>
	Subtotal	\$1,115,000
E.	CVCC Phase 2	<u>418,000</u>
	Total Immediate Needs	\$1,533,000

Ms. Ferguson discussed briefly the most pressing of these projects.

Mr. Spencer discussed the renovation/repairs to the Old Elementary School for CVCC Satellite as well as the Phase 2 project. At present there will be seven (7) classrooms, and the rest of the area being administrative. There are two (2) computer oriented classrooms, one a more traditional classroom and some administrative usage. Phase 2, would be entirely classrooms. Mr. Spencer stated that the building is really shaping up nicely and if anyone is interested in taking a look, he would be more than glad to take them over.

Mr. Conrad stated he felt we needed to proceed with the improvements necessary for the operation of the county's business.

The Board by consensus agreed to move ahead with all phases of A, B, C, D, & E above.

2. **Press Release:** Ms. Ferguson provided each one with a copy of the press release that will run in this week's Times-Virginian concerning Campbell County Revenue Recovery for emergency medical transports.

Also, the Sheriff is requesting additional staffing until the 911 Call Center is up and running.

Ms. Ferguson stated that we, the Sheriff's Department, were contacted around the first of September and told the all of Campbell County's medical transport costs would be billed. Their Sheriff made some policy changes in the way he dealt with the referring of calls that Appomattox County was unable to answer, which caused some great grief in the Campbell County 911. We had a meeting on October 4, 2007 at the Concord Rescue Squad and the Campbell County Public Safety Officer was present, the 911 Director, 911 Dispatcher, Supervisor Eddie Gunter of the Concord area, Ms. Ferguson, Freddie Godsey, Sheriff Staples and Bobby Wingfield. The outcome of this meeting was the article that will appear in the paper. The bottom line is Campbell County will dispatch to Concord's first call area, and those citizens will be billed for service or their insurance providers. If Campbell County dispatches a unit to the doctor's office because Appomattox Rescue was unable to respond, under our mutual aide agreement, then they will also be billed. Any time Campbell County dispatches a unit to Appomattox, that individual will be billed for services. We will also be dealing with this in the Gladstone area as Nelson County is also going to this system.

The other thing that came out of this meeting was the Sheriff felt like he needed assistance from now until the 911 Call Center is up and running, to dispatch these rescue squad calls. He is asking for part-time help on Monday, Tuesday, Wednesday and Friday – 8 hours and Thursday 16 hours. Ms. Ferguson has agreed to provide funding for this request for approximately three (3) months.

After some discussion, it was the consensus of the Board to not fund this part-time position as requested by the Sheriff's Department.

3. **Regional Reception – October 24, 2006:** The Board has been invited to the Regional Reception scheduled for October 24, 2006 at 4:30 p.m. The Regional reception replaces the Regional Dinner that was scheduled for October 19th. Ms. Ferguson would like to know which Board Members plan to attend.

Mr. Craft, Mr. Conrad, Mr. Carter, Mr. Moore, Mr. Overstreet and Ms. Ferguson will be attending the Regional Reception on October 24, 2006

4. **Grant for roof of Old Courthouse:** We have received notification from the Department of Historic Preservation that the legislature has awarded us a grant in the amount of \$10,000.00 to replace the roof on the old courthouse building.

Ms. Ferguson will contact the contractor presently working on the building's roof (John P. Morgan) to get an estimate on this work. After we find out a ball park figure, this will have to be put out on bids.

5. **Office Space needs for Commonwealth's Attorney:** Mr. Puckett has been awarded two (2) additional positions through the Compensation Board. Consequently, he needs two (2) additional offices, furniture and equipment.

Ms. Ferguson explained the changes suggested for the Commonwealth's Attorneys office. Ms. Ferguson, explained that before she approves the structural changes to this office, she will require the approval of Judge Blanton.

Gary Harvey will move forward with the proposed drawings and present them to the Board as soon as possible.

6. **Contract Proposal Craddock-Cunningham Architectural Partners:** The proposal to provide architectural services for the renovations to the upper level of the County Administration Building have been received. The Board will need to designate this as a Sole Source Procurement per Code Section 2.2-4303.e of the Code of Virginia, due to the fact that CCAP is familiar with this building and has previously drawn proposals for this renovation and nothing was done.

Mr. Moore made a motion, seconded by Mr. Conrad, to designate the County Administration Building renovation as a sole source procurement as per Section 2.2-4303.e, as CCAP is familiar with this building and had previously drawn proposals for this project. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

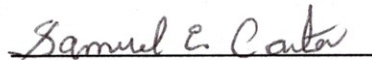
7. **Change of Location of Fireworks Display – Railroad Festival:** The Board previously approved the Fireworks Display for the Railroad Festival on Saturday, October 14th to be held at the Appomattox EDA Park.

Due to a change in plans, this fireworks display has been moved to Coles Field located on Route 727 across from the Appomattox County High School.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the change of location for the Railroad Festival Fireworks Display from the EDA Park to Coles Field. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Ms. Ferguson discussed briefly the plans for the upper level of the Administration Building and what changes need to be made for accommodate the County Administration Office personnel.

At 8:02 p.m. Mr. Moore made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent.)



Samuel E. Carter, Chairman

On Monday, October 16, 2006 at 5:45 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox County Community Center located on Community Lane (off 460 Business – East), Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft - Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator

At 5:45 p.m. Mr. Carter opened the Public Hearing and stated the public hearing was being held for clarification purposes changing the Tools and Machinery Tax Rate from \$3.50 per one hundred dollars value to \$4.60 per one hundred dollars. The Tools and Machinery Tax Rate was specifically separated at the original public hearing held on the FY 2007 County Budget and the Personal Property Tax Rate.

Mr. Overstreet explained why this public hearing was necessary. This issue came up several weeks ago and he was on vacation when Ms. Ferguson first called him. Unfortunately, he did not have a code available. The question was raised as to whether or not the Personal Property Tax Rate included the Tools and Machinery Tax. He felt it was advisable to err on the side of caution and hold the public hearing. When he returned to the office, the definition for paying Personal Property Tax, Section 58.1-3500, it lists tangible personal property shall consist of all personal property. There are some sections in the Code which speaks of Tools and Machinery separately. This may have caused some confusion. It is his opinion that when the Board of Supervisors changed the rate of Tangible Personal Property it included Tools and Machinery.

Mr. Carter stated that when the County was preparing the FY2007 budget, they realized that the Personal Property Tax had not been raised in almost 30 years and this was a very justified means of gaining additional revenue to support the overall budget for the County. This increase would be equal for each and every person living within the County.

Mr. Carter then asked if anyone present wished to speak in regard to the Tools and Machinery Tax. If so, please step to the podium and state your name and address for the record.

Bill A. Burke, owner of Cardinal Chevrolet: He will definitely be affected by this increase for his shop tools and equipment. He has to have sophisticated equipment to work on the automobiles of today. By his calculation this will amount to a 31% increase. This is a pretty hefty increase for a business to have to absorb in one year. He could see an incremental increase each year but to hit a business with a 31%

increase if pretty tight. At a time when we are trying to get new businesses to locate in the County and the industrial park, this is not good. His little business has a payroll of about one million dollars and that includes about twenty (20) employees. These people are putting money back into the local economy. He cannot pass a 31% increase on to his customers. This may also mean he will not be able to purchase any new equipment for his business. He thinks this is a ridiculous increase in taxes for one year.

Claude A. Moore, owner of Moore's Machine Corporation: He agrees with what Mr. Burke has just said. A 31% increase is absorbed. He has about a ¼ million dollar payroll – three (3) apprentices. As soon as these employees get this apprenticeship completed, they are grabbed up by another company earning more money. Most of his equipment is 12 to 18 years old and will need to be replaced soon. The replacement costs for some of his machines is \$50,000 and up. They are making a living with their machinery and tools. He thinks the Board should look at a "pleasure tax" which would tax some of these boats, ATV's, Motor Homes, etc. These are not items that are used to make a living with, they are strictly pleasure items. He also feels that we are "talking out of both sides of our mouths". We are talking about bring in a waterline, which he supports, and bring business into the industrial park. Great – Good Luck. But how are we going to compare our Machinery & Tools taxes to those of the other localities. How does our existing rate and our proposed rate compare to those of adjoining localities.

Mr. Carter asked if anyone else wished to speak at this time. Hearing none, at 5:55 p.m. he closed the public hearing.

Samuel E. Carter

Samuel E. Carter, Chairman

Monday, October 16, 2006, at 6:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing at the Appomattox County Community Center, located on Community Lane (off 460 Business-East) in Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
Calvin Tanner
Steve Conner
George Almond
Al Sears

Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine
Marvin Mitchell

ALSO PRESENT:

Aileen T. Ferguson – County Administration
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator

At 6:00 p.m. Mr. Carter opened the Public Hearing and stated the purpose of the Public Hearing was to receive comments on the Proposed Zoning Changes to the County Ordinances.

Mr. Carter read the following:

Pursuant to Section 15.2-2204 of the Code of Virginia (1950), as amended, and Section 170-8 of the Appomattox County Zoning Ordinance, the Appomattox County Board of Supervisors and the Appomattox County Planning Commission will conduct a public hearing, the purpose of which is to consider the following amendment to the zoning ordinance.

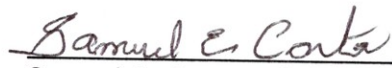
Repeal Section 170-25

- Section 170-25 allows uses not delineated in the zoning code to be applied for as conditional uses.
- Section 170-25 also automatically amends the zoning code if the application is approved, such that the use then becomes a conditional use throughout said zoning district.

Any person who desires to speak on this matter may do so at this time. Please step to the podium and give your name and address and then state your position.

Mr. Carter then called for comments.

Hearing none, the Public Hearing was closed at 6:08 p.m.


Samuel E. Carter, Chairman

On Monday, October 16, 2006 at 6:30 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Community Center, located on Community Lane, (off 460 Business-East), Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation, after which he invited everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

- 3A. Approval of the Job Description for 911 Call Center Tele-communicator**
- 3B. Confirmation of Machinery & Tools Tax Rate**

Mr. Carter next called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

APPEARANCES:

Mr. Carter called **Dr. Bill Gillespie** to address the Board: Mr. Gillespie is meeting with the Board to give a brief presentation on the proposed regional jail with Amherst, Appomattox and the Blue Ridge Regional Jail Authority.

Dr. Gillespie appreciates the opportunity to address the Board. He would like to congratulate Mr. Craft and Mr. Conrad who have been serving on an exploratory committee for about five or six months. The committee has been looking at the possibility of a Regional Jail Partnership with Amherst and the Blue Ridge Regional Jail Authority. In 2003, Appomattox attempted to enter into a venture to replace the existing jail and actually create a new regional jail system with Nelson County and Amherst County.

Tonight he will give you a little background on what has transpired during the last three (3) years, where we are now and where we expect to go within the next six (6) months.

Mr. Gillespie introduced Mr. Chris Webb and Elton Blackstock with the Blue Ridge Regional Jail Authority, and will give you a little information the on activities we have had with their board.

Mr. Gillespie stated the Appomattox County Jail building looks to be in good shape. This building was built in 1981 and is about 25 years old. It had a capacity of twelve (12). The projections for 2007 are about thirty-five (35) and beyond that, it keeps climbing. The main thing is that because of the way this building is laid out, it is very costly to manage. He stated that the Sheriff has done an excellent job in dealing with the space available. He has also managed to maintain certification. At the present costs, a replacement for our jail would be approximately \$8.5 million.

The average daily population has increased over the last nine (9) years. Every year it has gone up and if you look out to the next ten (10) to fifteen (15) years, you will see this same kind of increase. Appomattox County Jail ranks 17th as the most crowded jail in Virginia. Currently Appomattox does house some inmates in the Blue Ridge Regional Jail Facility. The Commonwealth is trying to close some of the smaller jails, because from a staffing standpoint, they cost too much to run. Regional facilities qualify for 50% capitol funding but must involve at least three participating localities. Half of your capitol cost will be paid by the State. The General Assembly must approve any new jails to be built. The General Assembly approved Blue Ridge as a partner for a facility to be located centrally close to Blue Ridge and to Appomattox. The key question for the Sheriff's Department is "How long will I have to leave my locality to take a prisoner, before I can be get back?" The options available to Appomattox are: (1) we can just house inmates and bill for them. That will drive your transportation costs up because prisoners have to be moved back and forth. (2) Housing costs will be higher, because those localities that have additional space, will charge you more because you do not belong to their authority. The Blue Ridge facility is one of the most cost effective, well managed facilities in the Commonwealth. Based on the numbers, the regional approach will be best for Appomattox. All the proposed partners need to replace or expand their present facilities. Amherst, Appomattox and the present Blue Ridge facilities are all overcrowded and need to be replaced.

They have looked at a number of sites in the Amherst area and it looks like the most centrally located place is around the Route 210 interchange off Route 29 – Bypass. It is about 20 minutes for Appomattox and also Amherst, adjacent to the Route 29-Bypass, in the area of the Monacan Bridge and the Lynchburg Training School. According to the General Assembly guidelines, the planning study is due to the Department of Corrections in March of 2007. If we miss this opportunity, all bets are off. If everything goes well, you could expect to open this facility in mid-2010, with an operating capacity of 325-400.

Mr. Gillespie commented on the building capacity and any excess beds could be rented out to other localities so the per diem or monies would come back into your pockets to help keep your per diem down. Also, if you became overcrowded and had to place prisoners elsewhere, the cost of this placement would be bourn by the three (3) localities, not just one jurisdiction. With the regional concept, there is a lot of flexibility.

The Blue Ridge Regional Jail Authority is made up of five (5) localities, Cities of Bedford and Lynchburg, and the Counties of Bedford, Campbell and Halifax. These localities must approve the membership of Appomattox and Amherst County through a service agreement before Appomattox and Amherst can join. Appomattox and Amherst Counties must also approve the service agreement once approved by the BRRJA localities.

After a brief discussion period, Mr. Carter thanked Mr. Gillespie, Mr. Webb & Mr. Blackstock for their presentation.

At 7:17 p.m. Mr. Carter called for a short recess.

At 7:20 p.m. Mr. Carter reconvened the meeting.

Mr. Carter next called **Mr. Eric Eberly, Extension Agent** to address the Board: Mr. Eberly has requested to meet with the Board to request your support for a grant application funded by Virginia Tobacco Indemnification and Community Revitalization Commission. Individuals will have the ability to receive cost share reimbursement in the areas of forage management and utilization, genetic improvement and cattle handling facilities.

Mr. Eberly stated that in 2002 nineteen counties in Southside Virginia along with the Economic Director of Halifax County put together a grant proposal to the Tobacco Commission. At that point in time, it was felt that it was too large an amount to start off with initially and so it was originally funded at \$500,000 for the Counties of Mecklenburg, Halifax and Mecklenburg Counties. Since then, additional counties have submitted grant applications. Last year an application was funded for \$300,000 to a group of counties. This year, a group of counties, Appomattox, Buckingham, Campbell and Cumberland have joined together to form a cattlemen's association and put together a grant application for up to \$500,000 for a beef improvement project. This will be a 50% cost share program. The main thing is that producers will be eligible to apply for the grant. We currently have twenty (20) beef producers that are qualified. He is asking to Board to endorse this project.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to write a letter in support of the Central Virginia Value Added Beef Initiative. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter. (5 aye votes)

Ms. Ferguson made the announcement that Mr. Eberly had accepted another position and would be leaving the county, moving to Blackstone, VA.

Mr. Carter moved to the **ADMINISTRATIVE ITEMS:** (Items 1 – 3)

1. **Voting Credentials for VACO's Annual Meeting:** A member of the Board of Supervisors needs to be appointed as delegate to attend the VACO's Annual Business Meeting and vote on behalf of Appomattox County. The Annual Business Meeting is being held during the VACO Conference on Tuesday, November 14th from 10:15 a.m. to Noon at The Homestead in Bath County.

Staff recommends appointing Supervisor Craft who is planning to attend the conference representing Appomattox County.

Mr. Moore made a motion, seconded by Mr. Conrad, to appoint Mr. Craft to represent the County of Appomattox and vote on the County's behalf at the upcoming VACo meeting to be held on Tuesday, November 14th at the Homestead in Bath County. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Legislative Proposal for Regional Airport Authority:** The Lynchburg Regional Airport Authority Advisory Committee is requesting your support of legislation authorizing an independent airport authority in the Region 2000 area. We would not be committing to participate in the authority by supporting this legislation.

Mr. Carter asked if any member had questions regarding this issue. Mr. Craft asked why would he want to participate in this endeavor.

Ms. Ferguson answered that if an authority is formed, she is confident that there would be some financial requests made of the localities. She certainly thinks there is no reason not to support the legislation allowing them to form this authority. Campbell County and the City of Lynchburg have already determined that they are prepared to join together and work with this. At a later date you will possibly be asked to become a member if the Legislature allows this authority to be formed.

Mr. Craft made a motion, seconded by Mr. Moore to adopt a resolution of support for this legislature to allow for the formation of a independent airport authority in the Region 2000 area. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Request from Orange County Concerning Senate Bill 374:** Bill Rolfe, County Administrator in Orange County is requesting that you adopt a resolution opposing a portion of Senate Bill 374 concerning cluster development.

Mr. Craft and Mr. Conrad both commented on this being another case of the State telling the local government what to do.

Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following resolution opposing a portion of Senate Bill 374 concerning cluster development:

***A RESOLUTION BY THE BOARD OF SUPERVISORS
OF APPOMATTOX COUNTY, VIRGINIA REGARDING CLUSTERING OF
SINGLE-FAMILY DWELLINGS AND OPPOSING CERTAIN
PROVISIONS OF SENATE BILL 374.***

WHEREAS, modification to Section 15.2-2286 of the Code of Virginia enacted by Senate Bill 374 relevant to clustering of single family dwellings imposes unreasonable

State regulations on the County's authority to regulate land-use which causes substantial injustice and hardship to localities; and,

WHEREAS, *the new Code Section 15.2-2286.1 B, that requires each locality to designate 40 percent of unimproved residential and agriculturally zoned land as eligible for by-right cluster development is arbitrary and capricious and encourages unwanted residential growth in localities trying to manage and control growth; and*

WHEREAS, *the new Code Section 15.2-2286.1 A. requires all localities with a growth rate of more than one percent per year to have clustering provisions in their local land use regulations as opposed to being optional under 15.2-2286.A 12.a.*

NOW, THEREFORE, BE IT RESOLVED, *by the Board of Supervisors of Appomattox County, Virginia that the Governor and General Assembly of the State of Virginia are strongly urged to:*

- 1. Make cluster development an optional land use tool for local governments.*
- 2. Allow for the approval of cluster developments through a special use, special exemption or conditional use process.*
- 3. Eliminate any reference to what type or how much land in a locality should be made available for cluster development.*

BE IT FURTHER RESOLVED, *that a copy of this resolution be sent to the Governor, the County's General Assembly delegation and to the Virginia Association of Counties.*

BE IT FURTHER RESOLVED, *that a copy of this resolution be sent to all counties in the Commonwealth urging them to adopt a similar resolution in support of this matter.*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3A. Approval of the Job Description for 911 Call Center Tele-communicator:

Ms. Ferguson stated that we have for some time been advertising for these positions. We recently realized that we had not presented the formal job description to the Board of Supervisors for inclusion in the Personnel Policy. We are asking for the Board to approve this job description at this time.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the Job Description for 911 Call Center Tele-communicator for inclusion in the Personnel Policy as presented by Mr. Wingfield and Ms. Ashby. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson also commented that we have met the 95% match rate, so we will be moving forward as quickly as possible in getting these positions filled and getting the center up and running. If you know of anyone who is qualified and expresses an interest in these positions, please have them see Mr. Wingfield for an application.

3B. MACHINERY AND TOOL TAX RATE FOR FY 2007: A public hearing was held earlier in the evening to clarify the Machinery and Tool Tax rate increase from

\$3.50 per one hundred dollar value to \$4.60 per one hundred dollar value as this was not specifically stated in the Public Hearing for the FY2007 Budget.

Mr. Carter stated that there were two (2) businessmen who expressed dismay about this increase stating it was too much but the Board felt that this was justified and 31% increase in thirty (30) years was not that much.

Mr. Moore stated he, too, felt this was a terrible increase over what we have had in the past. If we had been increasing this gradually over the past years, it wouldn't be so bad. He can understand why some businessmen would be concerned.

Mr. Conrad also expressed some concerns about the present budget being contingent upon the increase on the Machinery & Tool Tax. If we did not have this increase would we not be able to meet our budget requirements.

Ms. Ferguson stated we adopted the FY2007 Budget with the understanding that the Machinery & Tool Tax would be increased from \$3.50 to \$4.60 per one hundred dollars value.

Mr. Conrad made a motion, seconded by Mr. Craft, to re-affirm and establish the Machinery and Tool Tax Rate for the calendar year 2006 at a rate of \$4.60 per one hundred dollar of value. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for action on the **Consent Agenda:** (Items 4 – 7)

4. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

5. **Sheriff's Department:** Please appropriate by consent and supplement \$404.32 to 3102-1002 in the Sheriff's budget to pay for reimbursement received from the Express Lane and the Schools.
6. **Library:** Please appropriate by consent and supplement \$893.79 to various line items in the Library budget for monies received from book replacement fees, donations and book sales.
7. **Economic Development:** Please appropriate by consent and supplement \$23,761.00 to 8105-6014 - Windows_(this money will be reimbursed from a grant); \$50,516.00 to 8105-6015 CVCC Satellite Center; and \$68,020.00 to 8105-6016 Carver Price Roof (this money will be reimbursed from a grant).

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reminded everyone of the **INFORMATIONAL ITEMS:** (Items 8-11)

8. **VDOT Public Meeting:** VDOT will hold a public meeting on Wednesday, November 8, 2006 at the Kirkley Hotel on Candler's Mountain Road in Lynchburg

- to receive comments on the Commonwealth Transportation Board's projects and programs for inclusion in the Fiscal Year 2008-2014 Six Year Improvement Plan.
9. **Town of Appomattox – Notice of Violation:** The Town has received a notice of violation on PWSID No. 5011050. Also enclosed is a copy of the agenda for the Town Council Meeting held on October 10, 2006.
 10. **Robert E. Lee Soil and Water Conservation District:** Minutes of the Board of Directors Meeting held on August 24, 2006.
 11. **Appomattox County Public Schools:** Financial Report for the month of September 2006 for the School System.

Mr. Carter then called for **Supervisor Concerns – Item 12:**

Mr. Conrad is concerned about the Waterline issue. At the last meeting, the Board voted in favor of the waterline. During the time we were discussing this issue, getting facts and information in order to make a good viable decision, we had people who attended the meetings that were very vocal as far as their opposition to this. At the Railroad Festival, this weekend, he had over a hundred people approach him with "Good Vote, you did what you had to do. You studied all the information and did what we depended on you to do". He feels that a lot more people were in favor of this waterline than we actually knew. He was encouraged by the comments he received over the weekend.

Mr. Moore agreed with Mr. Conrad as he too has received some good comments on the decision made on the waterline. He has had many phone calls and personal contacts from people in agreement with the Board's decision, but not any negative comments.

Mr. Carter stated he too, had been receiving good comments. He would also like to have the Board of Supervisors send a letter to the Railroad Festival Committee thanking them once again for a job well done for bringing revenue into the County and for also making a family atmosphere type festival.

Ms. Ferguson will compose a letter to this effect.

UPCOMING MEETINGS

MONTH OF OCTOBER

OCTOBER 23, 2006 @ SCHOOL BOARD OFFICE
7:00 P.M. – JOINT MEETING WITH SCHOOL BOARD

OCTOBER 24, 2006 @ HOLIDAY INN SELECT, DOWNTOWN LYNCHBURG
4:30 P.M. – REGIONAL MEETING
5:30 P.M. – RECEPTION

OCTOBER 30, 2006 @ APPOMATTOX COMMUNITY CENTER
7:00 P.M. - JOINT MEETING WITH TOWN OF APPOMATTOX, TOWN OF
PAMPLIN, APPOMATTOX SCHOOL BOARD.
PRESENTATION BY MARK CAMPBELL – VIRGINIA STATE POLICE ON GANGS
IN OUR REGION

MONTH OF NOVEMBER

NOVEMBER 6, 2006 @ APPOMATTOX COMMUNITY CENTER
6:30 P.M. – REGULARLY SCHEDULED MEETING

NOVEMBER 27, 2006 @ APPOMATTOX COMMUNITY CENTER
6:00 P.M. – PUBLIC HEARING ON NEW SUBDIVISION ORDINANCE
6:30 P.M. – REGULARLY SCHEDULED MEETING

MONTH OF DECEMBER

DECEMBER 11, 2006 @ APPOMATTOX COMMUNITY CENTER
6:30 P.M. – REGULARLY SCHEDULED MEETING

****** THE BOARD BY CONSENSUS DECIDED TO CANCEL THIS MEETING.**

DECEMBER 18, 2006 @ APPOMATTOX COMMUNITY CENTER
6:30 P.M. – REGULARLY SCHEDULED MEETING

At 7:45 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Monday, October 23, 2006 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at the School Board Office, located on Court Street, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust - Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

PRESENT (School Board):

Amy Martin
 Cliff Rhodenizer
 R. W. Mitchell
 Todd Pickett
 Bobby Waddell - Chairman

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 Dr. Walter Krug – Superintendent of Schools
 William Perrow
 Dr. Janice M. Marston
 Dr. Dorinda G. Grasty
 Martha Eagle
 Mary Marshall

At 7:04 p.m. Mr. Carter called the meeting to order.

Dr. Krug presented a power point presentation entitled "Taking a Look at Our Schools" which included the following:

- Program Outline
- Student Data
- Average Daily Membership
- Pre-K – High School Education
- Building a Strong Foundation
 - Pre-Kindergarten Programs
- Building a Strong Foundation
 - K-5 Programs
- Opportunities for Exploration
- Transition to the Future
 - High School Programs
- Recent Program Changes
- Alternative Educational Opportunities
- Looking To The Future
- Teachers – the key to student achievement
 - Highly Qualified
 - Years of Experience
- Staffing Challenges
- Attracting and Retaining Teachers
- Student Achievement
 - SOL rates
- School Facility Needs
- Expenditures

(see copy in October 2006 Board File)

Mr. Conrad commented that he had noticed that the students are more civil and cooperative on the bus.

Mr. Armbrust asked for a comparison on SOL Pass Rates (page 8 of power point presentation).

Mr. Waddell referred to the web site for this comparison data - www.schoolmatters.com

Mr. Carter asked how far away are we from having a year round school?

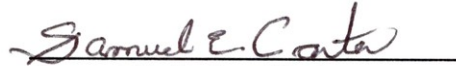
Dr. Krug stated this could not be done until we had two years of study and preparation.

Mr. Carter then asked how much increase would be needed in the budget for year round schools?

Dr. Krug explained the cost would increase due to offering remedial studies.

Mr. Carter thanked Dr. Krug for his efforts.

At 8:27 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, October 30, 2006 at 7:00 p.m. the Appomattox County Board of Supervisors, the Appomattox Town Council, the Appomattox County School Board and the Town of Pamplin Town Council held a joint meeting at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):

Shawn A, Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft, Vice-Chairman – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District

PRESENT (Appomattox Town Council):

John Wilson – Mayor
Norman (Jimmy) Mayberry
Joyce Bennett
John Williams

ABSENT (Appomattox Town Council):

Jennifer Scruggs
Steve Lawson
Lewis McDearmon

PRESENT (School Board):

Amy Martin, Chairperson - Piney Mountain District
Bobby Waddell – Falling River District

Clifford Rhodenizer – Wreck Island District
Raymond W. Mitchell – Courthouse District

ABSENT (School Board):

Todd D. Pickett – Appomattox River District

PRESENT (Pamplin Town Council):

Robert Mitchell – Mayor
Susan Hudson

ABSENT (Pamplin Town Council):

Robert Johnson
Ronald E. Franklin
Delois H. DeMuth
Ruth Williamson
Melessa Harvey

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
David Garrett – Appomattox Town Manager
Dr. Walter Krug – Superintendent, Appomattox County Schools

At 7:00 p.m. Mr. Craft opened the meeting and stated that the purpose of the meeting was to receive information on Gang Awareness by Special Agent Mark T. Campbell, Virginia State Police, Drug Enforcement Section – GANG UNIT.
(Cell (434) 546-1409; Office (434)352-0900; Pager (434)791-8964)

Officer Campbell stated that there are approximately 34,000 gangs in the United States with about 850,000 gang members ages 12 to 24. There are some as young as 8 years old in Lynchburg. Approximately 11% of all gang members are female.

Gangs have nothing to do with race.

Gangs exist mainly because of money and family.

The three “R’s” of the Gang Culture are:

- Respect
- Reputation
- Retaliation/Revenge

Gangs operate by colors – Bloods (Red) and Blue:

The Blue color represents “Crips”.

- Colors represent: Territorial)
 Hierarchical) Equals violence
 Respect)
 Loyalty)

There are several ways of becoming a Gang Member:

- Blessed in
- Jumped in
- Beat in
- Sexed in

There are also several reasons for staying in gangs:

- Generating Money
- Protection
- Impressions with violence
- Silence

The mentality of most gang members are:

- My Crazy life
- Laugh Today – Cry Tomorrow
- Live Today – Die Tomorrow

One thing that is sacred to all gang members is – Mamma

The youth mentality feeds from TV channels such as MTV – BET and VH1.

Some Virginia Laws that constitute a gang are:

- Three or more People
- One of Primary Purposes – Criminal Activity
- Identifiable signs or symbols

Some identifying symbols are:

- \$ means drugs
- TRG – Nail Salon at the Mall

Some of the things we need to look for:

Gang Identifiers – Personal

- Drawings, Markings on body and clothes
- Doodles on personal effects
- Selection of clothing

Gang Identifiers – Public

- Graffiti
- Hand signs and hand shakes
- Group dressing

Increased Fights:

- Initiation
- Rivals

There are several things you need to pay particular attention to:

- Color
- Numbers

- Specific Symbols
- Sports Affiliations
- Side Preference
- The manner in which letters are written

We must all work together to identify and remove gang activity from our communities.

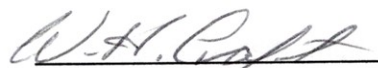
Getting the word out is the best way for us to deal with this problem.

-MySpace.Com-

Agent Campbell completed his presentation.

Sheriff Staples made a brief statement regarding local gang activity.

At 9:00 p.m. the meeting was adjourned.



William H. Craft
Vice-Chairman

On Monday, November 6, 2006, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation. Mr. Carter then invited those present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

There were two (2) items to be added to the Agenda:

10A - Acceptance of a Conveyance of Real Estate

24. Closed Session – Personnel

Mr. Carter next called for **Citizen Public Comments:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance to the citizen.

Mr. Bobby Fulton, 1374 Stonewall Road, Appomattox, VA. He would like to address the Board on the recent Personal Property tax increase. Most everyone has received their tax bill by now. He is really surprised that none of his friends and neighbors are not here tonight. He cannot understand how his personal property increased as much as it did. Mr. Armbrust came to them during the years of his campaigning for votes and one of the things he promised was that he would hold taxes down. This he did not do, not only that, he cannot get in touch with Mr. Armbrust, to discuss issues when they arise. Last year, he did not receive a cost of living raise, health insurance rates increased as well as the price of gasoline. The voters put each of you in office and they thought you would act in their best interest. This is something we all should remember when we go to the polls on Tuesday.

He also feels that as elected officials, the citizens should be able to get in touch with you. After trying to contact several Board Members, Mr. Carter returned his call. He also attempted to e-mail the Board and these were returned "Undeliverable". He would like the board to reconsider this tax hike. He has not been very active in Board meetings in the past but he will be more active in the future.

Mr. Carter stated that the Board Members phone numbers are listed in the Telephone Directory. Also that the Board Members take their responsibilities seriously. They also must be able to generate enough revenue to take care of the costs necessary for the operation of County services.

Mr. Carter stated that since Mr. Don Austin, Resident Engineer, VDOT was not yet present they would move to the next item on the agenda.

Mr. Carter called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 10)

1. **Eric Eberly's Position:** As discussed at a previous meeting, Eric Eberly, Extension Agent, has taken another position within the system and will no longer be serving Appomattox County after November 2006. Jan Baker, District Supervisor, has contacted Ms. Ferguson requesting that a Board member serve on the interview committee that will be seeking a replacement for Eric. She did not have a date as of yet for the interviews but will inform us as soon as the applications have been received.

Staff recommends a member of the Board volunteer to serve on the interview panel for the Extension Agent position.

In another matter, Ms. Baker would like to know if Appomattox County would be interested in an Intern position this summer. The position would be for ten weeks and would pay \$10.00 per hour. Virginia Tech is willing to pay for one-half of the position and the other half could be paid from vacancy savings from Eric's position. Ms. Baker feels this would be very beneficial to the activities being undertaken by the Extension Office.

Staff recommends considering Ms. Baker's request.

Mr. Conrad volunteered to serve on the Interview Committee for the position of the Extension Agent. Also the Board okayed an Intern position for the Extension Office during the summer of 2006, to be funded by Virginia Tech and funds saved from Mr. Eberly's position.

2. **Term Expiration – Planning Commission:** Calvin Tanner's term on the Planning Commission will expire on December 31, 2006. Mr. Tanner has expressed an interest in continuing to serve in this capacity for another term.

Staff recommends reappointing Mr. Tanner to serve another four year term. We have checked the applications that have been previously received expressing interest in serving on committees, commissions or boards and find none for the Planning Commission.

After some discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to reappoint Calvin Tanner to serve another term on the Planning Commission. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Zoning Ordinance Amendment, Section 170-25:** On October 16, 2006 a joint public hearing was held on the proposed amendment to the Appomattox County Zoning Ordinance to repeal Section 170-25 of the zoning code. No comments were received.

After reviewing the public testimony, the public record, the Planning Commission's recommendation and the goals and objectives of the County's Comprehensive Plan, Mr. Armbrust made a motion, seconded by Mr. Conrad to amend and readopt the Appomattox County Zoning Ordinance by revising certain provisions of the Zoning Ordinance text as described in the following ordinance:

**AN ORDINANCE TO AMEND AND READOPT THE
APPOMATTOX COUNTY ZONING ORDINANCE
BY REVISING CERTAIN PROVISIONS OF THE ZONING ORDINANCE
TEXT AS DESCRIBED IN THE FOLLOWING PARAGRAPH**

BE IT HEREBY ORDAINED, that the Appomattox County Zoning Ordinance is hereby amended and readopted by revising certain provisions of the Zoning Ordinance text as described as follows:

TEXT AMENDMENT

Section 170-25, Application for use not delineated in this chapter, repeal section that read as follows:

If in any district established hereunder a use is not specifically permitted by right or special exemption in this chapter, a property owner or his appointed agent may submit an

application for a zoning permit provided by Section 179-6C herein. If the use as applied for is approved by the governing body, this chapter shall be automatically amended to include the use as a conditional use in the district so located, provided that the requirements of Section 170-8 herein are met.

Severability

Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Effective Date

This ordinance is effective upon adoption.

VOTE: Mr. Armbrust, aye, Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Request for Resolution Commending John and Reve Walsh:** The Prince George County Board of Supervisors is requesting that you consider adopting a resolution commending John and Reve Walsh for their efforts in trying to ensure the safety of children.

After some discussion regarding some of the things that John Walsh has been involved with regarding child safety, etc., Mr. Conrad made a motion, seconded by Mr. Moore to adopt the following resolution commending John and Reve Walsh for their efforts to ensure the safety of our children.

RESOLUTION: COMMENDATION; JOHN AND REVE WALSH'S COMMITMENT TO THE SAFETY OF CHILDREN FOR THEIR EFFORTS IN THE ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006 (HR4472)

WHEREAS, Adam Walsh, six-year-old son of John and Reve Walsh was abducted and murdered on July 27, 1981, in Hollywood, Florida; and

WHEREAS, Since the abduction of their son, John and Reve Walsh have tirelessly dedicated themselves to protecting children from child predators, preventing attacks on our children, and bringing child predators to justice; and

WHEREAS, Their commitment and creation of the Center for Missing and Exploited Children has saved the lives of numerous children; and

WHEREAS, As a result of their efforts and progress made, The Adam Walsh Child Protection and Safety Act, HR 4472 was signed into law by President George W. Bush on July 27, 2006;

WHEREAS, This legislation will ensure that sex offenders register, and keep current, where they reside, work and attend school. It will create the Dru Sjodin National Sex

Offender Public Website to search for sex offenders information in each community, require states to notify each other when sex offenders move from one state to another, and increase law enforcement's ability to combat child pornography by ensuring that law enforcement has access to the same information across the United States. In addition, it will increase penalties for using the internet for the sexual exploitation of children.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Appomattox this 6th Day of November, 2006, does hereby commend and thank John and Reve Walsh for using their own personal tragedy for the betterment of the children in our community, in our state, and across the United States of America; and

BE IT FURTHER RESOLVED, that this Board is requesting that the County Administrator of the County of Appomattox send this resolution to the Virginia Association of Counties for distribution to other localities so that they too may commend Mr. and Mrs. Walsh on their efforts in getting this very important legislation passed in our Country.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Request for Resolution Supporting the National Liberty Memorial:** The Virginia Association of Counties along with localities in Virginia are requesting that you adopt a resolution urging the Governor to work with citizens of the Commonwealth to lead, coordinate and advance efforts to urge the U. S. Congress to approve the National Liberty Memorial Act.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adopt the following resolution regarding the establishment of a National Liberty Memorial to African Americans of the Revolutionary war era.

RESOLUTION NATIONAL LIBERTY MEMORIAL

WHEREAS, legislation is pending in the U.S. Congress to establish the National Liberty Memorial on the Mall in Washington, D.C., to African Americans of the Revolutionary war era with funds donated by citizens of the United States and nations around the world who are inspired by their struggle for liberty;

WHEREAS, from 1775 to 1783 over 5,000 slaves and free persons, including 500 Virginians, advanced Independence and universal liberty by serving as soldiers and sailors in the Continental Army and local militias while countless others performed patriotic acts as civilians;

WHEREAS, from as early as 1848, when historian William C. Nell and others petitioned the Massachusetts legislature for a memorial to Crispus Attucics, and 1908, when Virginians Giles B. Jackson and Webster Davis observed, "Monuments innumerable have been erected to white soldiers who fought in the Revolution. Only a few kind words have been said for the colored soldiers," there has been a consciousness over 158 years that those patriots deserve a national memorial;

WHEREAS, finally, between 1984, and 1988, Congress approved Public Law 98-245 honoring the role of the black soldiers, patriots, runaway slaves and freedom petitioners and authorized a black patriots memorial on the Mall with the enactment of Public Laws 99-558 and 100-265;

WHEREAS, the fact that the previously-authorized organization, now defunct, failed to build the memorial by the deadline, October 27, 2005, does not detract from the worthiness of the history, the monumental dream or the scholarship, including scores of books written in just the past decade and the documentation of over 2,000 black soldiers in 2001;

WHEREAS, the Virginia Association of Counties congratulates the foresight of the National Capital Memorial Advisory Commission on June 27, 2006, in recommending that National Mall Liberty Fund D.C. be authorized to preserve the site on the Mall at Constitution Gardens between the Lincoln Memorial and the Washington Monument;

NOW, THEREFORE, BE IT RESOLVED, the Virginia Association of Counties joins the National Mall Liberty Fund D.C., the Congressional sponsors of the National Liberty Memorial Act, including Senator Chris Dodd of Connecticut and Senator George Allen of Virginia, and other Virginia counties and advocates in urging Americans of all backgrounds to work for the enactment of the legislation and the establishment of the memorial.

BE IT FURTHER RESOLVED, the Virginia Association of Counties urges Governor Timothy M. Kaine, Senators John W. Warner and George Allen, Representatives Jo Ann Davis, Thelma Drake, Robert C. Scott, J. Randy Forbes, Virgil H. Goode, Jr., Bob Goodlatte, Eric Cantor, Jim Moran, Rich Boucher, Frank Wolf, and Tom Davis to work with citizens of the Commonwealth of Virginia to lead, coordinate, and otherwise advance efforts in Virginia to urge the U.S. Congress to approve the National Liberty Memorial Act, support the public education campaign, renew the support of local and national organizations, and ensure that sufficient resources are secured to dedicate the memorial by July 4, 2010.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 6. Holiday Schedule:** The Governor has granted additional time off for State Employees during the holiday season for Thanksgiving, Christmas and New Year's. Also, the Holiday Schedule for employees for 2007. Ms. Ferguson is requesting the Board consider approving the same holiday schedule for County Employees.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the following Holiday Schedule for the remainder of 2006 and the upcoming calendar year 2007:

2006 Remaining Holiday Schedule:

Thanksgiving	Wednesday, November 12, close at noon (4 additional hours) Thursday, November 23 Friday, November 24
Christmas	Friday, December 22, close at noon (4 additional hours) Monday, December 25 Tuesday, December 26

2007 Holiday Schedule:

New Year's	Monday, January 1 Tuesday, January 2
Lee-Jackson Day	Friday, January 12
Martin Luther King, Jr. Day	Monday, January 15
Presidents Day	Monday, February 19

Memorial Day	Monday, May 28
Independence Day	Wednesday, July 4
Labor Day	Monday September 3
Columbus Day	Monday, October 8
Veterans Day	Monday, November 12
Thanksgiving	Wednesday, November 21, close at noon (4 additional hours) Thursday, November 22
	Friday, November 23
Christmas	Monday, December 24 (8 additional hours) Tuesday, December 25
New Year's (2008)	Monday, December 31 (8 additional hours) Tuesday, January 1, 2008

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Presentation by Mark Campbell:** Mr. Campbell with the Virginia Farm Bureau has been working on a presentation for the Board on Land Use Taxation. This presentation will be approximately one (1) hour long. Does the Board wish to schedule this presentation on a regular meeting night or would you prefer to set up a work session at another date and time.

After a brief discussion, the Board by consensus decided to have Mr. Campbell attend a Board Meeting to be held on Monday, January 8, 2007 at 6:00 p.m. at the Appomattox Community Center.

8. **Lynchburg Area Center for Independent Living:** The Lynchburg Area Center for Independent Living is inviting you to an Elected Officials Appreciation Breakfast to be held on December 5, 2006 at 8:00 A.M. at the Meredith's Fine Dining Restaurant.

Please advise Ms. Ferguson if you plan to attend, so reservations may be made.

Mr. Armbrust stated he may be attending.

9. **Board of Supervisor Meeting Calendar for 2007:** The meeting schedule for 2007 has been prepared for your review. Please advise staff if there are any conflicts so a correct schedule will be ready for the January 2007 meeting.

Changes are:

**Organizational Meeting: Monday, January 2, 2007 to
Wednesday, January 3, 2007**

**MOVE : Monday, November 19, 2007 to Monday, November 26, 2007
Monday, December 10, 2007 to Monday, December 17, 2007**

10. **VACo's 2007 Draft Legislative Program:** The VACO 2007 draft legislative program has been received for your information. Please review this document

and note any comments you may have in order that they can be reported to VACo.

Mr. Conrad supports the change to the Dillon Rule: The General Assembly should enact legislation that is similar to other states that have given counties, cities and towns greater local autonomy, particularly concerning land use regulation and local revenue measures, and should therefore relax the Dillon Rule.

Mr. Overstreet stated that in some situations like Northern Virginia, if you have zoning which is controlled by the locality and the zoning gets out of whack, so you have subdivisions everywhere in the county and you need roads in order to get to them, you go to the State Government and ask for funding for the roads, this seems to him to be an issue. If you want to allow that type of development, maybe you should also foot the bill for the roads.

Mr. Carter stated his favorite is "Unfunded Mandates". He does not know how long we have been screaming about getting funded for state mandates that are put upon the locality – if they want something – pay for it. It looks that this is falling on "deaf" ears to some extent. However, he does not see any relief in sight.

10A. Acceptance of a Conveyance of Real Estate:

Ms. Ferguson remarked that some property was donated to the County some time ago, specifically a committee that was appointed by the Board of Supervisors, for public purposes and to be sold and the proceeds be used to help the Community Park Committee. Without belaboring it too much, a county employee signed the deed transferring the property as a member of the Committee. Because of that, during a title search some issues came up. Mr. Overstreet will elaborate.

Mr. Overstreet explained that this was a gift in 2003 to Appomattox County Community Park Committee. The deed was a gift for recreational purposes. The County sold the property and it has now changed hands again and during the title examination, a question has arisen. The original deed of gift, was conveyed to the Appomattox County Community Park Committee and there is actually such a committee appointed by the Board of Supervisors. (An agency of the County). This Committee, however, does not have the authority to hold title to real estate, it has to be conveyed to the County or the Board of Supervisors. He is trying to get this title straight. The Code of Virginia says "the Board has to take action to accept any real estate before it is conveyed to the Board". Also the deed has to be approved by the County Attorney, otherwise there is a question of validity. He is having to go back and redo this "Deed of Gift" as a "Deed of Correction" and get the title to the County. Then we would go forward in conveying this to the people who purchased it from the Committee. In order to do this, the Board has to have a Public Hearing before it can convey real estate. He is asking the Board to hold this Public Hearing and to affirm the conveyance that has already taken place.

The Board's action tonight is to just approve a gift of a parcel of land which the committee did, but did not have the authority to do. He is asking the Board to adopt the following resolution.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the following resolution:

RESOLUTION

ACCEPTANCE OF CONVEYANCE OF REAL ESTATE

WHEREAS, by Deed of Gift dated 8-11-2003 and of record in the Clerk's Office of the Circuit Court of Appomattox County, Va. at instrument #20302503, lot 7, Fairfield Hills Subdivision was conveyed to "Appomattox County Community Park Committee"; and

WHEREAS, said real estate was not formally accepted by Appomattox County, as required by Section 15.2-1803 of the Code of Virginia and the ability of said Committee to acquire real property is questionable;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors, doth hereby approve, ratify and reaffirm the acceptance of said real estate by the County of Appomattox, and authorizes the Chairman to execute a Deed of Correction conveying said real estate to Appomattox County, Virginia.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter stated that **Mr. Don Austin, Resident Engineer, VDOT** was suppose to meet with the Board to discuss an update on the Six-Year Plan. It appears that something must have come up to prevent him from being present.

Mr. Carter next presented the **CONSENT AGENDA:**

11. Approval of Minutes: Please approve minutes for the following:

Regular Meeting – October 2, 2006
 Work Session – October 10, 2006
 Public Hearing – October 16, 2006
 Public Hearing on Tools and Machine Tax Rate – October 16, 2006
 Regular Meeting – October 16, 2006
 Joint Meeting with School Board – October 23, 2006
 Joint Meeting Board of Supervisors, Appomattox Town Council,
 Appomattox School Board, and Pamplin Town Office –
 October 30, 2006.

12. Approval of Bills: Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

13. Treasurer's Office: Please appropriate by consent and supplement \$2,000.00 to 1213-3010 in the Treasurer's budget for money collected for DMV stops.

14. **Sheriff's Department:** Please appropriate by consent and supplement \$5,000.00 to 3102-1001 to pay L. A. Smith for unused sick leave upon his retirement.

Please appropriate by consent and supplement \$497.56 to 3102-1002 for overtime reimbursed by the schools for officer's working security at football games.

Please appropriate by consent and supplement \$62.00 to 3102-5408 for a reimbursement check received for overpayment to Exxon.

Please appropriate by consent and supplement \$30.00 to 3102-5408 for restitution received from James Knight.

Please appropriate by consent and supplement \$50.00 to 3102-5410 for restitution received from Neil Smith.

15. **Building Inspection's:** Please appropriate by consent and supplement \$127.00 to 4301-5411 for code books paid for by a contractor.

16. **Economic Development:** Please appropriate by consent and supplement \$2,000.00 to 8105-6015 to pay HDH for architectural services on the CVCC Satellite Project.

Please appropriate by consent and supplement \$40,274.10 to 8105-6016 for work done on the museum roof.

SPECIAL FUND APPROVAL:

17. Please approve by consent payment of the enclosed bill in the amount of \$161.70 from the Law Library Fund.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:**

18. **Robert E. Lee Soil and Water Conservation District:** Minutes of the September 28, 2006 Board of Directors meeting.
19. **Auditor of Public Accounts:** The Auditor of Public Accounts has reviewed the Commonwealth collections and remittances of the Treasurer, Commission of the Revenue and Sheriff of the County for the year ended June 30, 2006 and found that all is in order.
20. **Letter on Rescue Squad:** The Woman's Club of Appomattox has written requesting the Board to pay for rescue squad services between the hours of 9:00 A.M. and 5:00 P.M.
21. **Town Council Agenda:** Agenda for the October 26, 2006 meeting of the Appomattox Town Council.

22. **Campbell County's Legislative Agenda:** Campbell County has submitted their Legislative Agenda for 2007.

Mr. Carter next called for **Supervisor Concerns:**

Mr. Conrad is concerned about the lack of citizens who are willing to serve on Boards and Committees. In the past we have advertised for vacancies on certain Board and Committees at the time a vacancy occurs. He is suggesting that we place an ad in the newspapers once a year for anyone interested in serving in any capacity for the County. We should begin by placing an ad in January 2007.

Mr. Craft commented on the Health Department giving flu shots. Recently he saw a notice posted at the Health Department stating "NO FLU SHOTS". You can go to the drug store, the grocery store or most anywhere and get a flu shot. He feels that the people who depend on the Health Department need these shots the most.

Mr. Armbrust explained that the pharmaceutical companies that produce this vaccine ship the massive orders first like CVS and Kroger's. The localities that need them most actually take second place.

Mr. Carter spoke in regards to the Town of Appomattox passing an ordinance to amend the Code of the Town of Appomattox by adding a new Article VII (A) in Section 195, to be entitled Scenic Corridor Overlay District (SC). We do not know what this encompasses - there is no definition and there is no geographical area laid out or explained in regards to this district. Until this change has been explained in more detail, he encourages the Planning Commission and the Board of Supervisors to speak negatively of this as this needs to be, and should be explained in detail so that each and every citizen can understand.

Ms. Ferguson stated that Mr. Roark had received a map of this area. This could have some impact on the Board because you have Courthouse Square, the Health Department Building, the School Board Office Building, Courtland Field, The Old Elementary School Building, all the other schools, plus the Bus Shop, the Cannery and all those areas that at sometime in the future, you may be making alterations to.

Mr. Armbrust agrees with Mr. Carter in opposing this ordinance.

Mr. Carter stated the Board needed to enter into a closed session to discuss a personnel issue.

At 7:35 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to enter into Closed Session as per Section 2.2-3711.A (1) to discuss a personnel issue. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:06 p.m. Mr. Armbrust made a motion, seconded by Mr. Moore, to return to the open meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter read the following Certification Statement:

WHEREAS, this Board convened in a closed meeting under § 2.2-3711.A(1) of the Code of Virginia, for the purpose of discussing a personnel issue.

AND WHEREAS, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

NOW BE IT CERTIFIED, that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter reminded everyone of the:

UPCOMING MEETINGS

NOVEMBER 27, 2006 @ COMMUNITY CENTER

6:00 P.M. – PUBLIC HEARING ON NEW SUBDIVISION ORDINANCE

6:30 P.M. – REGULAR SCHEDULED MEETING

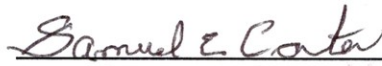
DECEMBER 11, 2006 @ COMMUNITY CENTER

JOINT MEETING WITH TOWN COUNCIL

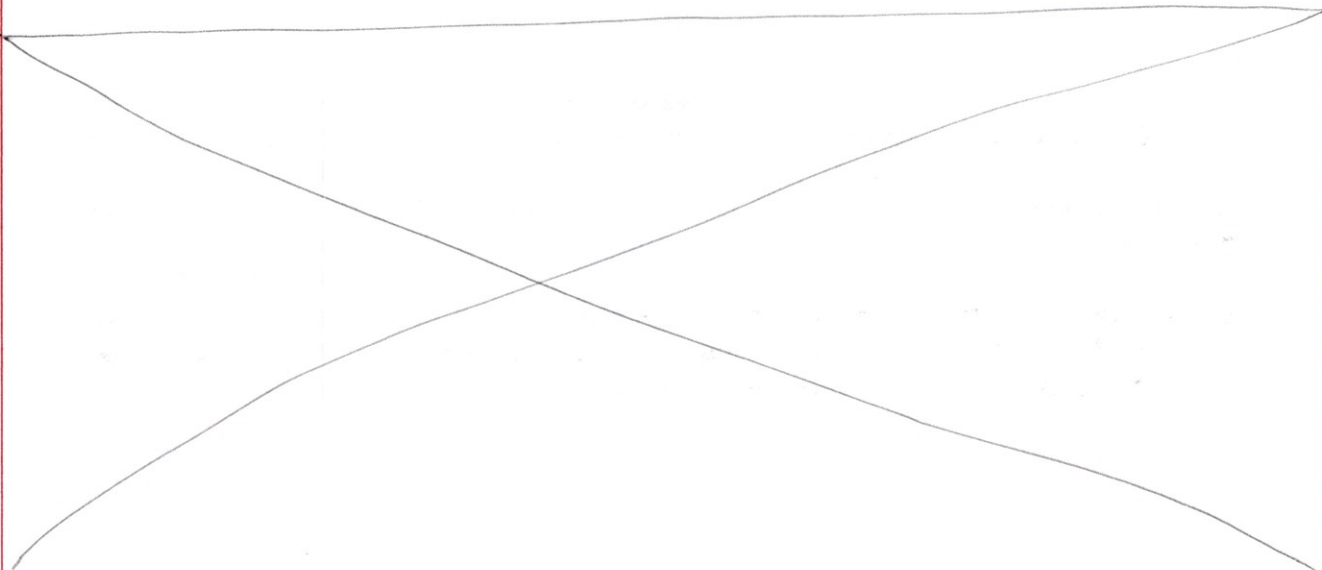
DECEMBER 18, 2006 @ COMMUNITY CENTER

6:30 P.M. – REGULAR SCHEDULED MEETING

At 8:09 P.M. Mr. Craft made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman



On Monday, November 27, 2006 at 6:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint public hearing at the Appomattox County Community Center located on Community Lane in Appomattox, Virginia.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
Calvin Tanner
Steve Conner
George Almond
Al Sears
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine
Marvin Mitchell

ALSO PRESENT:

Ms. Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
Johnny Roark, County Planner
Robert Mitchell – Mayor

At 6:00 P.M. Mr. Carter opened the Public Hearing and stated that those who wished to speak on this Ordinance Change should come forward, give their name and address for the record.

Mr. Carter thanked Mr. Roark for his excellent job on this Ordinance and turned the meeting over to Mr. Roark.

Mr. Roark stated the purpose of the Public Hearing:

Repeal and Readopt Chapter 141 of the Appomattox County Code, Subdivision Ordinance. Generally, the proposed ordinance includes, but is not limited to general provisions on subdividing land, administration of the code, a standardization of submittal requirements and process for approval of plats, changes to the family division exemption, provisions regulating new subdivision streets, including the elimination of new private streets, a process for obtaining waivers and a process for hearing appeals, pursuant to Chapter 22 of Section 15.2 of the Code of Virginia, (1950) as amended.

Mr. Roark stated he would not go over the entire ordinance, but would like to explain a few things and hopefully these will help you to understand the necessity to change this ordinance. The first thing, is WHY? The main reason is that our Comprehensive Plan calls for it, as one of our goals and plans. The second reason is our Ordinance was a bit out of date as things change every year and we needed to bring things in line with what the State Code allows. Another reason is there has been some talk about the current Ordinance not being very clear, so we will try to make it much easier to understand. The current Ordinance was adopted in 1989 and was amended in 1993, so a lot of changes have taken place since then.

He has provided a lot of definitions, as these provide clarity.

- The First Step in Coordinated Effort along with revision to Zoning Ordinance. This is important because you need to understand that as we are going through things, we have three (3) prongs going: 1). Improve the Sub-division Ordinance; 2) in the process of tackling the Zoning Ordinance and 3) also in 2007, we will need to review our Comprehensive Plan. All of these will be coordinated and hopefully by the end of 2007 they will all come together to provide us with the tools necessary to deal with the growth of Appomattox County.

There is some give and take in the Ordinance. Some people will look at certain parts and say we are making it easier for developers and others will say it is more difficult for developers.

The biggest changes are Impact Changes:

1. All new subdivision streets must be built to VDOT standards and turned over to the State. i.e. No new private streets for subdivisions.
2. Exemptions to the ordinance deleted:
 - 10 ac. To 24.99 ac. Lots on 50' strip no longer allowed
 - Private streets for 10 ac. To 24.99 ac. Lots, max. 16 lots
3. Family Division section will provide greater flexibility and may increase the number of divisions under this exemption; however, purpose of Code is to promote "cohesiveness of the family".
4. Ability to appeal and ability to be granted waivers
5. Requires extension of public water/sewer lines if within 500 feet of existing lines.

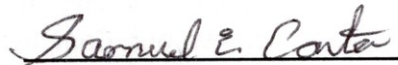
Section 6.3 "Footage on Improved Roads" needs to be corrected per Mr. Overstreet. This is simply a clerical correction.

Mr. Roark reviewed the remainder of the outline presented to each Board Member. (see Board File)

Following tonight's public hearing, hopefully the Planning Commission will make its formal recommendation on this new Subdivision Ordinance. The goal is to bring this formal recommendation back to the Board in December for action.

Mr. Overstreet stated that he had one statement regarding the Family Sub-Division and the Planning Commission has already considered this and made a decision on how to address it. He feels the Board should know what authority you have to do, you may choose to agree with the Planning Commission, but he felt it was his duty to let the Board know that they have a little broader authority. When the new section of the Code came in regarding how long an individual has to hold property under a family conveyance and the reason for this is that an individual may buy acreage, divided up into one acre lots, saying it is family sub-division in order to circumvent the ordinance. Right now, we say, the way this is developed, a person would have to hold the property for five (5) years before reselling it. The Code of Virginia allows your Ordinance to say that the head of the family who owned the property, had to have it for fifteen (15) years and the family member to whom it was conveyed has to hold it for fifteen (15) years. You have this broader authority and the Planning Commission felt that five (5) years was sufficient, but you do have the authority to go further with this.

At 6:20 p.m. Mr. Carter closed the public hearing.


 Samuel E. Carter, Supervisor

On Monday, November 27, 2006 at 7:00 P. M., the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint Public Hearing at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
 Calvin Tanner
 Steve Conner
 George Almond
 Al Sears
 Susan Hudson
 Barry Morris
 Shannon Dews
 Bryan Baine
 Marvin Mitchell

ALSO PRESENT:

Ms. Aileen T. Ferguson, County Administrator
 John G. Overstreet, County Attorney
 Johnny Roark, County Planner

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Johnny Roark, County Planner who read the first petition to be heard:

RZ06005 – Travis Ford: The applicant is requesting to rezone a portion of property to allow for a commercial development on Route 460 (Richmond Highway) between Route 609 (Phobe Pond Road) and Route 667 (Hummingbird Lane). The subject property is identified as Tax Map Number 60 (4) B, and is a total of 5.05 acres in size and is currently zoned Industrial District M-1. The applicant is requesting to rezone approximately 4.1 acres from Industrial District M-1 to Commercial District B-1. A portion of approximately 0.95 acres, to the rear of the property would remain zoned M-1.

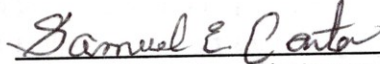
Ms. Sarah Ford, 1544 Stone Road, Rustburg, VA. Ms. Ford is present representing Raganok, Inc. She would like to have the Board's support for a split zoning for this property. They would like to make some improvements to make the property more appealing and suitable for retail business. They would also like to still have Raganok occupy the back portion of this property.

Mr. Roark asked if anyone else wished to speak in favor or against this petition. Hearing none, Mr. Roark read the next petition.

RZ06006 – B & F Holdings, LLC/Robert C. Stevens: The applicant is requesting to rezone properties located on Route 609 (Phoebe Pond Road) between the Campbell County Line and Route 460 (Richmond Highway). Subject properties, are identified as Tax Map Numbers 72 (2) 9, 72 (2), 10, 72 (2) 11, 72 (2) 12, and 72 (2) 13. Total acreage of the five (5) lots is 2.4 acres and is currently zoned Residential District R-1. The applicant is requesting to rezone all five (5) lots from Residential District R-1 to Residential District R-2.

Mr. Roark asked if there was anyone present who wished to speak for or against this petition. Hearing none, Mr. Roark turned the meeting back to Mr. Carter.

At 7:10 p.m. Mr. Carter closed the public hearing.


 Samuel E. Carter, Chairman


 Samuel E. Carter, Chairman

On Monday, December 18, 2006 at 6:30 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Community Center located on Community Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:
 Aileen T. Ferguson, County Administrator
 J. G. Overstreet, County Attorney
 John K. Spencer, Jr., Assistant County Administrator
 Johnnie Roark, County Planner
 Bobby Wingfield, E911 Coordinator
 Barry Watkins, Maintenance Supervisor

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation after which he asked everyone to join in the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **Setting of the Agenda:**
 There were no additional items for discussion.

Mr. Carter stated the next item on the agenda was **Citizen Public Comment Period:**
 This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

Ms. Jillian Mitchel – Ms. Mitchel gave a report on happenings at the Old Courthouse. They currently have over 60 students enrolled in either drama, dance, martial arts or music. In the past three (3) months they have presented three (3) successful performances. They plan to present the musical "Annie" in January, 2007.

The other thing she wished to discuss is the Courthouse roof. She stated the unknown is much worse than the reality. She read a report that the Board unanimously rejected a proposal to repair the courthouse roof. After examination of the roof, she has discovered that one of the metal seams has separated. There has to be a really hard, blowing rain for the roof to leak. The main leak is right above the new wooden stage that was installed. According to her contractor, it would cost approximately \$500 to \$1000 to repair the roof. She feels this needs to be taken care of immediately.

Ms. Velma Johnson – Ms. Johnson is speaking for the citizens who live on Route 685. They would like to have some road improvements done. The school bus has to come to the intersection of Route 647, turn around to pick up about eight kids, who have to walk to the intersection to catch the bus, because the road is not suitable for the bus. They would like the Board to contact VDOT about repairs to this road.

APPEARANCES:

Bobby Wingfield, E911 Coordinator: Mr. Wingfield will be bringing the Board up to date on the progress of the E911 center and answering any questions that you may have.

Mr. Wingfield thanked the Board for all of their support. They began training new employees today and this training will continue through January. Hopefully things will be up and running at the end of January, 2007. They have had a lot of equipment put in place. We have met the Verizon threshold of 95% as we are currently at 99%.

Ms. Ferguson encouraged the Board Members to go by the E-911 Center and meet the new dispatchers. During their training period they will all be working from 8:00 to 4:30.

Mr. Wingfield stated that some of the surrounding localities will be assisting us in getting our dispatchers trained and ready to assume their duties.

Mr. Carter next moved to the **ADMINISTRATIVE ITEMS:** (Items 1 – 12)

1. **VDOT Resolution:** VDOT Resolution dealing with our attempt to get state Route 613 reclassified as a Rural Major Collector route for your approval.

After a brief discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the following resolution:

RESOLUTION

WHEREAS, Route 613, Police Tower Road, between Route 460 and Route 660 in Appomattox County, currently has a functional classification as a Rural Minor Collector route, and

WHEREAS, significant subdivision growth has and continues to occur along this section of Route 613, with a significant increase in future growth and land development being anticipated, and

WHEREAS, the County has constructed a new public recreational park facility now being serve by this section of Route 613, and

WHEREAS, this section of Route 613 serves an area of anticipated significant future industrial growth in Appomattox County, and

WHEREAS, this section of Route 613 currently functions as part of the important link between primary Route 460 and primary Route 26 in Appomattox County, and

WHEREAS, due to recent improvements to nearby feeder routes, this section of Route 613 now serves as one of the more important intra-county travel corridors in Appomattox County, and

WHEREAS, due to the anticipated increased traffic to be generated by the current and projected growth along this section of Route 613, the current functional classification of Rural Minor Collector is no longer deemed sufficient for this section of Route 613.

NOW, THEREFORE, BE IT RESOLVED, this Board requests that the Virginia Department of Transportation re-evaluate the current functional classification of Route 613, between Route 460 and Route 660, and that this section of Route 613 be functionally re-classified as a Rural Major Collector.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Central Virginia Disabilities Services Board Appointment:** Martha McGinnis is requesting that Appomattox County appoint a local government employee to serve on the CVDSB.

Recommendation is to appoint John Spencer, Assistant County Administrator, to serve on the CVDSB representing Appomattox County.

Mr. Craft made a motion, seconded by Mr. Conrad, to appoint John Spencer, Assistant County Administrator to serve on the CVDSB representing Appomattox County. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Memorandum of Understanding with Amherst County:** We have received a second Memorandum of Understanding between Appomattox County and Amherst County for your review and acceptance. Mr. Overstreet, County Attorney, has been working with Tom Shrader, Amherst County Attorney, on this agreement and feels that everything is in order.

Mr. Craft questioned **Item 1. – Community Based Corrections Plan and Planning Study:**but should also look at the need for holding cells in Appomattox.

Ms. Ferguson stated that upon the approval of this Second Memorandum of Understanding by the Board, they are also giving her permission to sign this document on behalf of the Board of Supervisors.

Mr. Overstreet discussed the limit of responsibility, and stated that Appomattox will also have a voice in the acreage and cost of the site.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the acceptance of this Second Memorandum of Understanding with Amherst County and to authorize Ms.

Ferguson to sign this document on behalf of the Appomattox County Board of Supervisors. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

SECOND MEMORANDUM OF UNDERSTANDING

This Second Memorandum of Understanding is entered into this 18th day of December, 2006 between Amherst County and Appomattox County, each political subdivisions of the Commonwealth of Virginia. (Collectively referred to as "Counties".)

WHEREAS, the 2006 General Assembly included language in the Appropriations Act exempting these two counties and the Blue Ridge Regional Jail Authority from the moratorium language prohibiting counties and cities from requesting state funding for the construction of regional jails; and

WHEREAS, the adoption of this language means that the counties are eligible, subject to approval by the Board of Corrections of the need for the regional jail, for 50% reimbursement by the State for the cost of constructing a regional jail, with the funding by the Compensation board of staff for such a regional jail; and

WHEREAS, the counties feel there is a need for a regional jail, and are willing to pursue the steps necessary to be in a position to submit an application to the Board of Corrections for funding; and

WHEREAS, the Amherst County Board of Supervisors adopted the original Memorandum of Understanding between Amherst County and Appomattox County on the 15th day of May; and

WHEREAS, the Appomattox County Board of Supervisors adopted the original Memorandum of Understanding between Amherst County and Appomattox County on the 15th day of May; and

WHEREAS, Amherst County has commenced holding public information sessions concerning the possible location of the Regional Jail in the South End of Amherst County in close proximity to Appomattox County and has signed an Option for purchase of a potential jail site.

NOW THEREFORE, it is agreed by the parties as follows:

1. Community Based Corrections Plan and Planning Study.

The two counties agree to continue to explore the feasibility of building a regional jail to serve these counties. In order to do this, Counties agree to prepare a Community Based Corrections Plan and Planning Study prepared on behalf of the two counties. The purpose of the Community Based Corrections Plan is to evaluate the need for a new regional jail serving the two counties, and to forecast the growth in jail population over the next decade. The purpose of the Planning Study is to take the forecast from the Community Based Corrections Plan and create a preliminary design and cost estimate of the regional jail. Both of these studies are required by the Board of Corrections in order to receive the 50% funding of a new jail. The counties continue to agree the studies should focus on a site for the regional jail in Amherst County, since that is the most central location, but should also look at the need for holding cells in Appomattox.

2. Preliminary Cost.

In order to pay for the Community Based Corrections Plan and the Planning Study, as well as to secure a legal advisor and financial advisor for the project, the counties agree to an initial budget of One Hundred Thousand Dollars (\$100,000.00) which is the same figure utilized in the first Memorandum of Understanding between these parties. The counties shall share the actual cost of such services up to that amount on the basis of the population of the two counties based on the 2000 U.S. Census. Amherst County agrees to be the procurement agent for all contracts, and shall bill the other county for their respective portion of the cost when necessary.

3. Authority to County Administrators.

The county administrators are authorized by their respective boards to make

decisions on behalf of their county as to all contracts relative to the project, as long as the One Hundred Thousand Dollars (\$100,000.00) budget is not exceeded. No contracts shall be entered into or obligations made for payment for services without consent of both county administrators in writing.

4. Submission of Report to Board.

The county administrators shall prepare a report for the Boards of Supervisors including the Community Based Corrections Plan, the Planning Study, a preliminary financing plan and a preliminary operational plan for a regional jail serving the two counties, including the option of contracting with another regional jail authority, such as the Blue Ridge Regional Jail Authority, to operate the regional jail.

5. Effect of Second Memorandum of Understanding.

Nothing in this Second Memorandum of Understanding shall bind either of the Boards of Supervisors to any obligation beyond those set forth herein, and either of the counties can decide not to proceed with the project following the submission of the report.

6. Acquisition of Land in Amherst County.

Amherst County has signed an Option to purchase 125 acres of land known as the Jarvis Tract. Both Amherst and Appomattox County acknowledge this entire acreage will not be needed for the Regional Jail. Initially, the purchase of this property shall be funded by Amherst County. Amherst County and Appomattox County, in conjunction with the Virginia Blue Ridge Regional Jail Authority, shall determine how much acreage will be needed for the proposed Regional Jail Site, its fair market value, and to whom it should be transferred. Upon determination, Appomattox County agrees to pay Amherst County the monies owed for its share of the value of the real estate to be used for the Regional Jail site at a date to be determined. The share or proportion to be paid by Appomattox County shall be based upon the population of the two (2) counties as set forth in the 2000 U.S. Census.

WHEREFORE, the parties evidence their agreement to enter into this Memorandum of Understanding by their duly authorized signatures below.

AMHERST COUNTY

By: _____

Rodney Taylor
County Administrator

Revised November 27, 2006

APPOMATTOX COUNTY

By: _____

Aileen T. Ferguson
County Administrator

- 4. Planning Commission Recommendations:** Johnnie Roark, Planner and the Planning Commission have made the following recommendations from the November 27, 2006 public hearing:

RZO06005 – Travis Ford: For reason of public necessity, convenience, general welfare, and good zoning practice to approve rezoning property from M-1, Industrial to B-1 Commercial. Property is located on Route 460 (Richmond Highway) between Route 609 (Phoebe Pond Road and Route 667 (Hummingbird Lane), tax map #60 (4) B containing 5.05 acres. Approximately .095 acres to the rear of the property would remain zoned M-1.

RZO06006 – B & F Holdings, LLC/Robert C. Stephens: For reason of public necessity, convenience, general welfare, and good zoning practice to approve rezoning property from R-1 Residential to R-2 Residential. Property is located on Route 609 (Phoebe Pond Road) between the Campbell County line and Route 460 (Richmond Highway), tax map #s 72-(2)-9, 72-(2)-10, 72-(2)-11, 72-(2)-12 and 72-(2)-13 containing 2.4 acres.

Also the Planning Commission recommends adopting the revisions to the Subdivision Ordinance to repeal the existing Chapter 141 – Subdivision of Land and adopt the new Chapter 141 of the Appomattox County Code. Public hearing on this recommendation was held on November 27, 2006.

Mr. Moore made a motion, seconded by Mr. Armbrust, to accept the Planning Commission's recommendation to approve for reason of public necessity, convenience, general welfare and good zoning practices the rezoning petition **RZ06005- Travis Ford** to rezone a portion of property for commercial development on Route 460 (Richmond Highway) between Route 609 (Phoebe Pond Road) and Route 667 (Hummingbird Lane). The subject property, identified as Tax Map #60 -(4)-B, is a total of 5.05 acres in size and zoned Industrial District M-1. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion, seconded by Mr. Conrad, to accept the Planning Commission's recommendation to approve for reason of public necessity, convenience, general welfare and good zoning practices the rezoning petition **RZ06006 – B & F Holdings, LLC/Robert C. Stephens** - to rezone from R-1 Residential to R-2 Residential. Property is located on Route 609, (Phoebe Pond Road) between the Campbell County line and Route 460 (Richmond Highway) tax map #s 72-(2)-9, 72-(2)-10, 72-(2)-11, 72-(2)-12 and 72-(2)-13 containing 2.4 acres. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Revisions of the Subdivision Ordinance – Chapter 141 of the Appomattox County Code as presented at the Public Hearing on November 27, 2006.

ORDINANCE TO REPEAL CHAPTER 141-SUBDIVISION OF LAND, OF THE APPOMATTOX COUNTY CODE, EXCEPT AS THEY APPLY TO PROJECTS IN PROGRESS; REPLACE SAID SECTION BY ADOPTING THE APPOMATTOX COUNTY SUBDIVISION ORDINANCE, DATED NOVEMBER 27, 2006, AS THE NEW CHAPTER 141

BE IT HEREBY ORDAINED, that Chapter 141-Subdivision of Land, of the Appomattox County Code, except as they apply to projects in progress; be repealed; replace said Chapter by adopting the Appomattox County Subdivision Ordinance, dated November 27, 2006 as the new Chapter 141.

Severability

Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Effective Date

This ordinance is effective January 1, 2007.

After reviewing the public testimony, the public record, the Planning Commission's recommendation, and the goals and objectives of the County's Comprehensive Plan, Mr. Craft made a motion, seconded by Mr. Conrad, to repeal Chapter 141-Subdivision of Land and adopt the above Appomattox County Subdivision Ordinance as the new Chapter 141. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 6:58 p.m. Mr. Carter called for a recess until after the 7:00 p.m. Public Hearing.

At 7:15 p.m. Mr. Carter reconvened the meeting of the Board of Supervisors.

5. **VACo/VML Legislative Day:** Each year a delegation from the County attends Legislative Day in Richmond. This year the date for this session is February 1, 2007. Delegate Abbitt is unable to have dinner with us due to a standing commitment with another locality.

Anyone wishing to attend, please notify Ms. Ferguson prior to the cut off date – January 24, 2007.

Mr. Craft, and Mr. Spencer will be attending. Mr. Conrad may also be attending.

6. **Appomattox County Waterline Upgrades Commitment:** Representatives from Appomattox and Campbell counties and the Campbell County Utilities Service Authority have met and worked on the details for the waterline from Rustburg to Concord. Appomattox County will need to adopt the following resolution committing to paying Campbell County our part for the engineering and construction upgrades of this line.

Mr. Overstreet explained that there were a couple of changes. For the engineering study we took the cost of the whole project and put approximately what our cost would be, the cost to Campbell County due to our participation and we did a percentage. We figured this would be the cost of the engineering that we would bear and he thought this would be the cost for the actual construction. However, there is a discreet amount for the construction that will be our responsibility. We will use the percentage for the engineering costs only.

Also in the second WHEREAS, where it stated the fair fractional cost of the engineering... we need to delete "as well as the cost of construction".

After addressing the changes necessary, Mr. Conrad made a motion, seconded by Mr. Moore, to adopt the following resolution with Campbell County Utilities Service Authority (CCUSA).

RESOLUTION

WHEREAS, by the terms of a certain Resolution dated October 2, 2006 this Board made a commitment to secure its future water needs by purchasing water from the Campbell County Utilities Service Authority ("CCUSA") and requested that those needs be included in the design for the construction of a new waterline by the CCUSA from Rustburg to Concord as shown in the "Concord/Appomattox Water Analysis" prepared by Draper Aden dated January 16, 2005 and revised on May 18, 2006.

WHEREAS, the fair fractional cost of the engineering for said design for Appomattox to bear would be 11% , and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby agrees to be responsible for the fractional amount of 11% of the cost of said engineering design, not to exceed the sum of \$50,000.00 without further authorization of this Board, and responsible for the cost of said construction not to exceed the sum of \$400,000.00 without further authorization of this Board and authorizes the County Administrator to execute a Memorandum of Understand to that effect.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Disposal of Surplus Real Estate:** On November 27, 2006 the Board scheduled a public hearing for December 18, 2006 at 6:00 p.m. to receive public comments on disposal of a lot that was donated to the Community Park. We have been unable to get the necessary paperwork together to move forward with the public hearing at this time.

Recommendation is that this public hearing be scheduled for January 16, 2007 at 6:00 p.m. to receive public comments on this matter.

Consensus was to hold a public hearing for the disposal of surplus real estate at 6:00 p.m. on January 16, 2007 at the Appomattox County Community Center.

8. **Economic Development Authority Appointments:** The terms of two members of the EDA will expire on December 31, 2006 – Cecil Wooldridge and Winfred Nash. Mr. Nash has expressed his willingness to serve for another term. Mr. Wooldridge, however, does not wish to be reappointed. Earlier in the year, we advertised for anyone who wished to serve on any committees, boards, or commissions to please contact the County Administrator's Office. Only one letter of interest was received – Ronnie Spiggle.

Recommendation is that Ronnie Spiggle be appointed to serve on the EDA for a term of four years expiring December 31, 2010. Staff also recommends that Winfred Nash be reappointed for another four year term to expire on December 31, 2010.

Mr. Moore made a motion, seconded by Mr. Conrad to appoint Mr. Ronnie Spiggle to serve on the Economic Development Authority for a four year term beginning January 1, 2007 and expiring on December 31, 2010. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion seconded by Mr. Conrad, to re-appoint Mr. Winfred Nash to another term on the Economic Development Authority to expire December 31, 2010.

Also, Mr. Wooldridge should be presented a Proclamation for his service on the EDA.

*Proclamation in Recognition of Service of
CECIL WOOLDRIDGE
As a Member of the Economic Development Authority of
Appomattox County*

WHEREAS, the Economic Development Authority of Appomattox County is responsible for coordinating the economic development activities of Appomattox County; and

WHEREAS, the vigorous and enthusiastic participation and dedication of the membership of this body is critical to the success of the Economic Development Authority; and

WHEREAS, Cecil Wooldridge has faithfully served as a member of the Economic Development Authority and has recently chosen to retire his seat on this body.

NOW, THEREFORE, BE IT PROCLAIMED this 18th Day of December, 2006, that the Appomattox County Board of Supervisors extends its profound appreciation to Mr. Wooldridge for his diligence, hard work, and dedication to serving his community.

9. **Lease Agreement – School Wrestling Program:** Ms. Ferguson has been working with the insurance company, building inspector, recreation department and the County Attorney trying to pull together a lease agreement that would accommodate the high school wrestling program and yet cover the County. A lease agreement was presented to the School System for the School Board meeting held on December 14, 2006.

Recommendation is that the Board accept the lease for the use of the gym by the high school wrestling program.

Mr. Armbrust stated that sometime ago, we discussed the using of the gymnasium in the old elementary school by the high school wrestling team as the space they are currently using for practice at the high school is very small. The wrestling team would put down their mats and remove them after practice, allowing the space to be used for other things. He feels this is an opportunity for the kids.

Mr. Conrad stated that based on the agreement, we need to know that the School Board is in agreement. He is especially in agreement with the first paragraph in Section One – "Access by the Lessee during the lease term shall only be at those times and dates as authorized in advance by the Appomattox County Administrator". He is also confident that this lease will cover the County in case of any accidents.

Ms. Ferguson stated she had not heard from the School Board since their meeting on the 14th of the month. They were going to review the requirements of the lease and get back with her. Hopefully, they will get back to her by the end of the week.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the lease between the County of Appomattox and the School Board of Appomattox County for use of the gymnasium at the old elementary school by the Appomattox High School Wrestling Team. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

(see Board File)

10. **Resource Conservation Plan:** The County Planner and the Planning Commission have been working on developing a Resource Conservation Plan as a part of the Community Development Plan. They feel that they are ready to present that document for public comment.

Recommendation is that we schedule a public hearing for February 20, 2007 at 6:00 p.m. to receive public comments on the proposed Resource Conservation Plan.

Mr. Craft made a motion, seconded by Mr. Conrad, to set a public hearing date of February 20, 2007 at 6:00 p.m. to receive public comments on the Resource Conservation Plan as a part of the Community Development Plan for Appomattox County. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 11. American Legion Request:** Larry Danner, Post 104 Adjutant, is making a request on behalf of the American Legion Post No. 104 that the \$3,000.00 security deposit for the Wall of Honor be returned to the American Legion. Memorandum of Understanding between the American Legion and the County is for your review.

Recommendation is that the Board review the MOU and consider the American Legion's request.

Mr. Armbrust stated that under the original agreement it was agreed that the "\$3,000.00 would be held in a discrete fund for the future upkeep and maintenance of the Wall of Honor".

Mr. Conrad stated that Mr. Danner's request is for the return of the \$3,000.00 "security deposit" but the Memorandum of Understanding does not indicate anyway what so ever any "security deposit" but the upkeep and maintenance of the Wall of Honor.

It was the consensus of the Board of Supervisors to deny the request from the American Legion Post #104 for the return of this \$3,000.00. If they so desire, they may come before the Board to discuss this.

- 12. Emergency Operations Plan Updated:** Freddie Godsey has revised the County's Emergency Operations Plan and is ready for the Board to adopt the Revisions.

Recommendation is to adopt the resolution authorizing the adoption of the Revised Emergency Operations Plan for Appomattox County.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adopt the following resolution Authorizing Adoption of Emergency Operations Plan for Appomattox County.

**RESOLUTION
AUTHORIZING ADOPTION OF EMERGENCY OPERATIONS PLAN FOR
APPOMATTOX COUNTY**

WHEREAS, the Board of Supervisors of the County of Appomattox, Virginia, is greatly concerned with the health, safety, and well-being of its citizens and desires that the best possible emergency services be available to them; and

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, Chapter 31.2 of Title 44 of the Code of Virginia, 1950, as amended, requires that each city and county in the Commonwealth maintain and Emergency Operations Plan (EOP) which addresses its planned response to emergency situations; and

WHEREAS, such an EOP has been developed by County staff in coordination with the Virginia Department of Emergency Services incorporating input from responsible local agencies.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Appomattox, Virginia that, on the 18th, of December, 2006, it does hereby officially adopt the revised and current Appomattox County Emergency Plan, to include plans and procedures for both peacetime and war-caused disasters.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter presented the **CONSENT AGENDA** (Items 13 – 19) for approval:

- 13. Approval of Minutes:** Please approve minutes of regular meeting of November 27, 2006; Public Hearing on Zoning Petitions of November 27, 2006; and Public Hearing on Ordinance of November 27, 2006.
- 14. Approval of Bills:** Please approve bills for approval.

SUPPLEMENTAL APPROPRIATIONS:

- 15. Library:** Please appropriate by consent and supplement \$2,621.50 to the following line items in the Library budget for book replacement fees, donations received and book sales:

7301-5401 – Office Supplies	\$ 338.45
7301-5411 - Books	2,256.65
7301-5414 – Pamplin Depot Library	26.40

- 16. Economic Development:** Please appropriate by consent and supplement \$68,578.77 to the CVCC line in the Economic Development budget to pay bills for December 2006. This money will be reimbursed to the County from the BB&T insurance.

Please appropriate by consent and supplement \$4,625.00 to the Windows/Carver Price line in the budget to pay for window replacement in the museum. This money will be reimbursed to the County from grant funds.

Please appropriate by consent and supplement \$865.40 to the marketing line in the Economic Development budget for reimbursement received from Region 2000.

FUND TRANSFERS:

- 17. Sports Complex Fund:** Please transfer by consent \$2,640.00 from the Sports Complex fund to the General Fund to pay bills to Coleman and Sons.

LINE ITEM TRANSFERS:

- 18. Board of Supervisors:** Please transfer by consent \$453.00 from 1101-5804 – Operating Reserve to 1101-3001 Professional Medical Services in the Board of Supervisor's Budget.
- 19. Animal Control:** Please transfer by consent \$9,050.56 from 1101-5804 Operating Reserve to the following line items in Animal Control's budget to cover additional expenses incurred for Assistant Animal Control Officer.

3501-5401	Office Supplies	\$ 26.94
3501-5407	Building Supplies	170.03
3501-5408	Vehicle Power Supplies	5,000.00
3501-5409	Police Supplies	556.50
3501-5410	Uniforms	785.91
3501-5504	Travel	244.62
3501-7001	Equipment	2,017.61
3501-7003	Communication Equipment	248.95

Mr. Armbrust made a motion, seconded by Mr. Craft to approve the **Consent Agenda** as presented: ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then called attention to the **INFORMATIONAL ITEMS:**

20. **Appomattox County Public Schools:** Monthly financial report for the school system.
21. **Robert E. Lee Soil & Water Conservation District:** Minutes of the October 26, 2006 Board of Director's meeting.

Also received a letter from Linda S. Campbell, Chair, Virginia Soil & Water Conservation Board requesting our support for the local Conservation District.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Craft revisited the necessary repairs to the old courthouse roof. Apparently this is a real problem for Ms. Mitchel and the theater group. The County needs to be sure that anyone working on this building is certified and that they have insurance.

Mr. Carter asked if the Board wished to have Ms. Ferguson look into getting some quotes on repairing this leaking roof.

UPCOMING MEETINGS

ORGANIZATIONAL MEETING WEDNESDAY, JANUARY 3, 2007 @ 6:30 P.M. COMMUNITY CENTER

At 7:50 p.m. motion made and seconded to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes).


Samuel E. Carter, Chairman

On Monday, December 18, 2006 at 7:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Joint Public Hearing at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

Kevin O'Brien
Calvin Tanner
Susan Hudson
Barry Morris
Shannon Davis
Marvin Mitchell

ABSENT (Planning Commission):

Steve Conner
George Almond
Bryan Baine
Al Sears

ALSO PRESENT:

Aileen T. Ferguson, County Administrator
J. G. Overstreet, County Attorney
Johnnie Roark, County Planner
John K. Spencer, Jr. Assistant County Administrator

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the follow statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speakers registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark who read the first petition.

CUP06010 – Charles Rose/Curtis Morgan: Charles Rose (applicant/agent) with permission from Curtis Morgan (owner) is requesting a Conditional Use Permit for property located on Central Church Road (Route 694) in order to located three (3) two-family dwellings (duplexes) on said property. Property is Tax Map #107-(A)-14B, containing approximately 2.00 acres and zoned A-1, Agricultural District.

Mr. Roark stated he had received a memorandum from Mr. Rose addressing discrepancies in the narrative on the initial application as follows:

1. In paragraph one, we plan to develop two plus acres of land rather than three. The units will have a duplex structural design versus a four-plex design.
2. Paragraph three currently reflects a four-plex design with two (2) bedroom units and two three bedroom units, it should reflect a duplex with two 3 bedroom units.

In closing, its been recently brought to his attention that it is more feasible and cost effective to develop duplex units versus four-plex units for this particular location. I would like to apologize for the last minute adjustments.

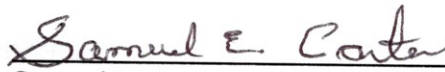
Is there anyone present who wishes to speak for this petition.

Mr. Warren Warrick – Mr. Warrick resides in Lynchburg, Va. and is present representing Mr. Rose, who could not be present. He is not as knowledgeable about the details of this project as Mr. Rose. However, he will be glad to answer any questions, or concerns that you may have.

Is there anyone present who wishes to speak against this petition.

Hearing none, Mr. Roark turned the meeting back to Mr. Carter.

At 7:12 p.m. Mr. Carter closed the public hearing.


Samuel E. Carter, Chairman

On Wednesday, January 3, 2007, the Appomattox County Board of Supervisors held its Annual Organizational Meeting at 6:30 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Shawn A. Armbrust – Wreck Island District
 Samuel E. Carter – Courthouse District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:

 Aileen T. Ferguson – County Administrator
 John G. Overstreet – County Attorney
 John K. Spencer, Jr. – Assistant County Administrator
 Johnnie Roark – County Planner

At 6:30 Ms. Ferguson called the meeting to order and asked Mr. Carter to deliver the invocation followed by the Pledge of Allegiance to the American Flag.

This being the Organizational Meeting, Ms. Ferguson stated the first order of business was the nominations for Board Chairman and the election of Vice-Chairman.

Ms. Ferguson then called for nominations for the Board Chair person for the year 2007.

Mr. Moore nominated Samuel Carter. He stated Mr. Carter had done such a nice job for the past year and with the experience he has had he would do an excellent job.

Mr. Craft seconded the nomination of Mr. Carter for Board Chairman.

Ms. Ferguson asked if there were any other nominations for Board Chairman.

Mr. Conrad stated he did not have another nomination, but during the past years he has seen where this Board made some changes and part of these changes were due to the fact that we have a gentleman, in Mr. Carter, who will do a great job in leadership as Chairman. He also feels the Board is moving in the right direction.

Ms. Ferguson after hearing no other nominations, closed the nomination process and called for a vote on the nomination for Mr. Samuel Carter to serve as Chairman of the Appomattox County Board of Supervisors for the year 2007. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye, Mr. Craft, aye; and Mr. Moore, aye. Mr. Carter abstained. (4 aye – 1 abstention)

Ms. Ferguson then turned the meeting over to Mr. Carter.

Mr. Carter stated he appreciated the kind remarks that his fellow board members have made and it is a pure joy working with this Board in the decisions and deliberations that we have to go through. A lot of times they are not pleasant decisions that they have to

make but they make sure they are unified and in the best interest to the County. He is proud to serve on this board with each and every one of the other members.

Mr. Carter opened the floor for nominations for the Vice-Chairman for the year of 2007.

Mr. Conrad nominates Mr. William Craft to serve as Vice-Chairman for the year of 2007, seconded by Mr. Armbrust. Mr. Craft has done an excellent job during the past year.

Mr. Carter stated he also felt Mr. Craft has done a good job as well as the entire membership. He feels that Mr. Craft is well suited to fill the position of Chair should the occasion arise.

Mr. Carter called for other nominations and discussion. Hearing none, he called for a vote on the nomination of William Craft as Vice-Chairman of the Appomattox County Board of Supervisors for 2007. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Moore, aye; and Mr. Carter, aye. Mr. Craft abstained. (4 aye – 1 abstention)

Mr. Craft thanked his fellow board members for their support and cooperation.

Mr. Carter then called for the **Board Organization:**

1. **Rules and Procedures:** During the year 2006 the Board utilized *Roberts Rules of Order Newly Revised for Small Boards* and allowed the Chairman to make and second nominations.

Mr. Moore made a motion, seconded by Mr. Armbrust, to continue with what the Board has been doing and utilize Roberts Rules of Order Newly Revised for Small Boards and to allow the Chairman to make and second nominations. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Appointment of Clerk to the Board of Supervisors:**

Mr. Craft made a motion, seconded by Mr. Moore to appoint Ms. Aileen Ferguson, County Administrator to continue to serve as the Clerk to the Appomattox County Board of Supervisors.

Mr. Conrad stated that Ms. Ferguson was certainly qualified and is very dedicated to this Board and to this County and will continue to do an excellent job in this capacity.

Mr. Carter thanked Ms. Ferguson for working with the Board and appreciation for her motivation and dedication to the County.

Mr. Carter then called for a vote on the appointment of Ms. Ferguson as Clerk to the Board of Supervisors for the year 2007. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Establish meeting dates, time and place:**

Mr. Carter stated that before taking action on this item he would like to call attention to

Item 2 – ADMINISTRATIVE ITEMS:

Meeting Schedule for Approval of Revised Blue Ridge Regional Jail Authority

Service Agreement: Each existing member of the BRRJA will have to approve this revised service agreement, as will Amherst and Appomattox Counties. Since Mr. Craft and Mr. Conrad have been looking after the County's best interest on this exploratory team and are dedicated to this project and there is a conflict of meeting dates for this team, the Halifax County Board of Supervisors and the Appomattox County Board of Supervisors, it is suggested that this Board changes its February 5th meeting to avoid conflicting with the other county involved.

Mr. Carter recommended that the Appomattox County Board of Supervisors change its meeting date of Monday, February 5, 2007 to Tuesday, February 6, 2007.

Mr. Craft made a motion, seconded by Mr. Moore, to make the necessary change of the February 5th meeting and approve the meeting schedule as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. Instructions to the County Administrator:

Mr. Craft stated Ms. Ferguson was doing an excellent job and she should continue as she is doing.

Mr. Carter asked for Ms. Ferguson's thoughts on having her Supervisors and Department Heads submit a monthly report on activities to the Board for their information. Ms. Ferguson agreed.

Mr. Carter reflected on some of the things accomplished in 2006 that he felt the County should be proud of: 1) obtaining an agreement on the Concord water line as engineering studies suggested, as the most economical and beneficial supply of water for the future of the County; 2) the CVCC Satellite Campus being established to provide further educational opportunities for our citizens; 3) meetings started on a Regional Jail Concept that will benefit the County; 4) Part B of the Landfill application being completed in order to open up new cells; 5) the E-911 Emergency Center being completed and the hiring/training of personnel and should be up and running shortly; 6) the State mandated Animal Shelter is in full operation; 7) Old Courthouse leased to local citizen for plays, entertainment and other activities that proved to be a complete success. This was a win-win situation for the County and the citizens. 8) the County's Comprehensive Plan is being updated; 9) a committee made-up of County, Town, Rescue Squad and medical personnel engaged in meetings on safety enhancements; 10) the EDA working vigorously to enhance economical developments in the County and 11) County staff continues to embrace cost savings measures and opportunities for obtaining grants to save taxpayer dollars. The Board working in unison to plan, execute, develop and investigate decisions that were in the best interest of the County.

There were over 70,000 Tourism brochures printed in 2006 and placed throughout the Commonwealth in hotels, restaurants and welcome centers. There was also an increase of tourism buses to Appomattox and for the first time was at an all time high and we are

hoping that they will continue to visit in 2007. The Community Park has three baseball fields as well as two t-ball fields. The Frisbee disc golf course was also completed in 2006, as was the entrance walls and other activity fields.

The Board then moved to the next item on the Agenda – **SETTING OF THE AGENDA:** There were no additional items for discussion.

The next item on the Agenda was **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There was no one present who wished to speak at this time.

Mr. Carter then called for discussion on the **ADMINISTRATIVE ITEMS:**

1. **Planning Commission Recommendations:** On December 18, 2006, the Planning Commission considered petition **CPU06010 – Curtis Morgan/Charles Rose** – The applicant is requesting a conditional use permit on property located on Central Church Road (Route 694) between Red House Road (Route 727) and Promise Land Road (Route 604) for the purpose of locating three (3) two-family dwellings on the property. The subject property is zoned Agricultural District (A-1 and is identified as Tax Map Number 107 (A)14B.

The Planning Commission voted unanimously to recommend denial of this conditional use permit petition for the following reasons: (1) the petition is not in alignment with the goals and objectives of the Community Development Plan and (2) the petition as submitted is not a good zoning practice.

Mr. Carter asked Mr. Roark to give the Board more information regarding the denial of this request. One of the reasons involved transportation. This particular development would increase traffic by about 50 cars a day on a very narrow road. Also the water table in the area of this development was not sufficient to serve this number of homes.

Mr. Conrad made the statement that most of the land in this area is zoned agricultural and one of the reasons for the County developing a land use ordinance is to preserve our agricultural areas as much as possible.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the Planning Commission's recommendation that the **CPU06010 of Curtis Morgan/Charles Rose** to located three (3) two-family dwellings on Central Church Road (tax map #107(A)14B be denied for the following reasons: (1) the petition is not in alignment with the goals and objectives of the Community Development Plan and (2) the petition as submitted is not a good zoning practice. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

The Board was next asked to approve the **CONSENT AGENDA:**
SUPPLEMENTAL APPROPRIATIONS:

2. **Sheriff's Department:** Please appropriate by consent and supplement \$694.79 to 3102-1002 (regular overtime) for reimbursement for working high school activities.
3. **Sheriff's Department:** Please appropriate by consent and supplement \$59.20 to 3102-5408 (Vehicle Power Equipment Supplies) for an overpayment from Cardinal and a payment for restitution.
5. **Economic Development:** Please appropriate by consent and supplement \$37,376.80 to 8103-6016 (roof replacement) for Carver Price roof.
6. **Economic Development:** Please appropriate by consent and supplement \$865.40 to 8105-6008 (Marketing Industrial Park) for reimbursement from Region 2000.
7. **Recreation & Tourism Development:** Please appropriate by consent and supplement \$412.50 to 7102-5414 (Theme Park Tickets) for overcharge by Virginia Recreation and Park Society for park tickets.
8. **Appomattox County Public Schools:** Please appropriate by consent and supplement \$182,164.00 to the school budget for funds received by 21st Century Community Learning Centers Grant.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **CONSENT AGENDA** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

The Chairman then presented the **INFORMATIONAL ITEMS:**

9. **Letter from Town of Appomattox to School Board regarding utility charges for Appomattox Elementary School:** Letter from Mayor Wilson in reply to Mr. Perrow's letter regarding utility rates for Schools.

10. Supervisor Concerns:

Mr. Conrad has a concern regarding transportation. An article in the newspaper recently indicated the State Legislature is considering action on a proposal that when zoning is approved for the development of new subdivisions that the new roads in these subdivisions be funded at the expense of local governments.

Ms. Ferguson will check on this and see about developing a resolution opposing this matter.

Mr. Armbrust wanted to thank everyone for their cooperation and hard work. In looking back at some of the things we have accomplished that this will be an exciting year because now we can concentrate on other things. He would also like to thank the staff and others that are constantly working behind the scenes.

Mr. Moore would like to see something done with the Oakville School building. This building is about to fall down, the windows are all out and it is an eyesore to the community. If nothing else, have the Fire Department do a controlled burn.

Mr. Ferguson stated that we had hoped to have the Fire Department burn this building, but they declined. She was recently going to acquire bids to tear it down, but Ms. Rockefeller at the landfill suggested that we wait until the new cell is opened and not have to pay Campbell County to dispose of this debris.

UPCOMING MEETINGS

TUESDAY, JANUARY 16, 2007

**6:30 P.M. @ APPOMATTOX COMMUNITY CENTER
REGULARLY SCHEDULED MEETING**

MONDAY, JANUARY 29, 2007

**6:30 P.M. @ APPOMATTOX COMMUNITY CENTER
MEETING WITH MARK CAMPBELL**

TUESDAY, FEBRUARY 6, 2007

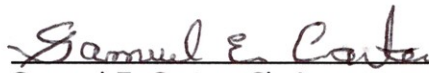
**6:30 P.M. @ APPOMATTOX COMMUNITY CENTER
REGULARLY SCHEDULED MEETING**

TUESDAY, FEBRUARY 20, 2007

**6:30 P.M. @ APPOMATTOX COMMUNITY CENTER
REGULARLY SCHEDULED MEETING**

Mr. Conrad remarked that he had discussed that for the meeting on the 29th, it is important that he, Mr. Campbell, get some of the producers in the County to be a part of this meeting.

At 7:03 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Tuesday, January 16, 2007 at 6:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing at the Appomattox County Community Center, located on Community Lane, Appomattox, VA. 24522

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)

Steve Conner
Calvin Tanner
George Almond
Al Sears
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine
Marvin Mitchell

ABSENT: (Planning Commission)

Kevin O'Brien

At 6:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:

"This public hearing is regarding the ratification and confirmation of the private sale and conveyance of Lot 7, Section 1, Fairview Hills Subdivision, Appomattox County, Virginia by the Appomattox County Community Park Committee to Roy D. Hopkins, Jr. and Cynthia O. Hopkins by deed dated November 30, 2005, as required by Section 15.2-1800 Code of Virginia."

Mr. Carter then asked if there was anyone present who wished to speak in regards to this ratification.

The question was asked as to the location of this property.

Mr. Overstreet stated it was located near the Industrial Park. (Route 1064 off Route 677 near Route 26.)

Mr. Armbrust stated that he knew this property technically went through the proper channels. Is this action in line with that process?

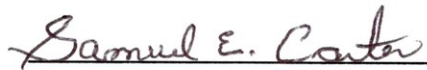
Mr. Overstreet answered that this was his opinion. He hopes that the attorney who is examining the title for the person now purchasing this property will agree with him. There is a theory of real estate law that if you overcome a defect somewhere along the line, then everything else that goes after that stays as it was. So if you cure this defect, it should cure all conveyances thereafter.

Mr. Armbrust was questioning this because this property is located in his district.

Mr. Overstreet has been in contact with the attorney handling this real estate transaction and informed him of what is presently being done to cure this defect.

Mr. Carter called for further comments.

Hearing none, at 6:10 p.m. Mr. Carter closed this public hearing.


Samuel E. Carter, Chairman

On Tuesday, January 16, 2007 at 6:30 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Community Center, located on Community Lane, Appomattox, VA. 24522

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator

At 6:30 p.m. Mr. Carter opened the meeting and asked Mr. Moore to deliver the invocation followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**

Ms. Ferguson stated that under **UPCOMING MEETINGS** there should be a 6:00 p.m. Public Hearing on February 6, 2007 on the VDOT 6-Year Plan.

The next item on the agenda is the **Citizen Public Comment Period:** This time is provided by the Board to Allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one present wished to speak at this time.

Mr. Carter then introduced **Mr. Bill Gillespie, Consultant:** Mr. Gillespie will review the agreement between Amherst and Appomattox Counties and the Blue Ridge Regional Jail Authority.

Mr. Gillespie said that they have traveled a long way of the past several months regarding the replacement of the present jail. We are at the point now, where the Blue Ridge Regional Jail Authority Board has voted to admit both the Appomattox and Amherst Counties and we have a site that has been selected in Amherst County and are moving rapidly on obtaining this property.

What you have before you tonight for your consideration is to whether or not you want to approve the service agreement. Mr. Gillespie had a slide presentation to show some of the financial side of this, as well as a quick overview of what is in the service agreement.

There was a study called the Community Based Directions Plan done in 2004 and because we did not do anything until 2006, we had to re-do this study. These are the number projections as of today. Your numbers are not going down nor stabilizing, they are steadily going up. There is a significant difference between building on your own. You have to build to 69 beds which in today's market would be around 11.1 million dollars, with a debt service, assuming that the state is paying 25% which quite honestly you would probably not get, of about \$788,000. Your operating costs would be about \$550,000. Plus, you would most likely need another site, resulting in a significant amount of cost.

Mr. Gillespie also pointed out the figures in joining the Regional Jail Authority. This would do away with the subsidizing of the present jail.

The agreement covers a lot of things, but what it boils down to is that you become members of the Jail Authority the date of the agreement, once all the members approved it. You would then appoint two (2) representatives, have the same vote as anyone else as it does not have anything to do with population. One of these should be someone in an administrative position/Board and the Sheriff. You would operate your current facility until the new facility is ready for occupancy. The Authority has the right to hire any existing employees in the jail.

There are some reserve funds that are required. An operating reserve is funds which is required by the bonds that were sold for the original facility. Everybody that is currently a member, based on their inmate population, has to contribute a certain amount of money to meet the total operating reserve. Appomattox's portion of that, based on a 48 inmate occupancy in 2011, would be \$141,000. The capitol reserve is just a cash account that everyone contributes to which covers things such as equipment

breakdowns, etc. Appomattox's portion of this is around \$81,000. Then there is a general reserve fund which is again established by the service agreement and this is a cushion for the operating budget and is basically about 5% of the revenues. Appomattox's portion would be \$62,942. Then there is an equity payment, when you move into the Amherst facility, there will be certain portions of the existing facility which you will still need, such as administrative offices, support staff, budgeting – these facilities are housed in the main office, but your portion of this would be \$70,000. If you are looking at total amounts, there is a one time cost of \$343,000. The Authority has agreed to let this be paid over a five (5) year period; interest rate has not been set. This would not become due until 2011.

Mr. Carter asked if anyone had any questions or comments.

After a short discussion period, Mr. Carter thanked Mr. Gillespie for his very informative presentation and called for action on the agreement.

Mr. Craft made a motion, seconded by Mr. Conrad, to enter into an agreement with the Blue Ridge Regional Authority and Amherst County based on the Draft Agreement dated January 10, 2007. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **ADMINISTRATIVE ITEMS:** (Item 1)

1. **Disposition of Surplus Property:** The public hearing has been advertised and conducted as required by Code. Action is necessary to officially dispose of this property.

Mr. Carter stated that during the public hearing, no citizens came forward. Only questions were from the Supervisors.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve, ratify and re-affirm the sale and conveyance of Lot 7, Section 1, Fairview Hills Subdivision, by the Appomattox County Community Park Committee to Roy D. Hopkins, Jr. and Cynthia O. Hopkins by deed dated November 30, 2005 and authorize the Chairman to sign Deed of Correction to them. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 2 – 7)

2. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

3. **Treasurer:** Please appropriate by consent and supplement \$1,240.00 to 1213-3010 in the Treasurer's budget for money collected from 10/1/06 through 12/31/06 for DMV stops.
4. **Court Services Unit:** Please appropriate by consent and supplement \$12,533.00 to 2109-3009 in the Court Service Unit budget for juvenile detention expenses.

5. **Fire Department Budget:** Please appropriate by consent and supplement \$939.50 to 3202-5605 and \$1,139.50 to 3202-5608 in the Fire Departments budget for additional monies received from the State in the Fire Programs Fund.
6. **Library:** Please appropriate by consent and supplement \$262.36 to 7301-5401; \$397.29 to 7301-5411 and \$28.76 to 5301-5414 in the Library budget for book replacement fees, donations and book sales.
7. **Economic Development:** Please appropriate by consent and supplement \$375.00 to 8105-6014 Windows/Carver Price Museum; \$600.00 to 8105-6015 CVCC Satellite; and \$142.87 to 8105-6016 Roof/Carver Price Museum.

Mr. Moore made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter read the following:

INFORMATIONAL ITEMS:

8. **Appomattox County Public Schools:** Monthly financial report for the school system.
9. **Appomattox Town Council:** Agenda of January 8, 2007 regular Town Council meeting.
10. **Supervisor Concerns:**

Mr. Armbrust: The request from the American Legion, Post 104, for a refund of \$3,000.00 that was discussed at the last meeting. There were a couple of "quotes" published in newspaper that he would like to set straight. They were asking for the \$3,000.00 to be refunded and this request was denied because it was presented to us as a discretionary fund to be used for further maintenance and upkeep of the Wall of Honor. This idea was presented by the American Legion. Mr. Armbrust is requesting that the American Legion representatives come to the February 6, 2007 meeting and present their financial statement regarding monies received and expended. It was his understanding that the names, benches, bricks, etc., were to be paid for by individuals or business donations.

Ms. Ferguson remarked that when she responded to the American Legion telling them the decision of the Board to deny the refund of this \$3,000.00, she sent them a copy of the agreement along with the letter and explained to them as the Board had stated at the last meeting, if they wish to come before the Board and present more information than what we already had, to contact her and she would schedule a time. She had not heard anything officially from them.

Mr. Armbrust stated they are already asking for more space to do more things to make this project bigger, we need to know what they plan to do, and where they plan to go as well as their financial statements. This is a very nice memorial to our veterans, etc., and

he has nothing against the American Legion and he wants to make sure that this monument is kept in good shape.

Ms. Ferguson was asked to contact the Commander of the American Legion and ask them to be present at the next meeting on February 6, 2007. We need to get rid of the rumors.

Mr. Carter stated that a Memorandum of Understanding dated November 7, 2005 and signed by both parties and within the scope of Section 11, it is stated that "the Legion agrees to deposit with the Treasurer of Appomattox County the sum of \$3,000.00 as proposed to be held in a discrete fund and use for future upkeep and maintenance of the Wall of Honor".

There were no other Supervisor Concerns.

Mr. Carter next called on **Mr. Monte W. Mays, Commissioner of Revenue:** Mr. Mays has requested to address the Board concerning land use taxation.

Mr. Mays stated this would not take very long. The thing that concerns him most at this point is TIME. The Land Use Taxation must be enacted six (6) months prior to the effective date of the next reassessment which is January 1, 2008. This needs to be done by July 1st of this year. His main concern is protection of one of the largest industries in the County - farming. He was raised on a farm and it is one of the best ways to be raised. You learn the value of a dollar, what it means to do hard work and what it means to be rewarded for this hard work.

You will be hearing pros and cons to this issue. We are looking at a decision that will affect the County from now on. It will affect us just as much as the water line. If we don't do something to corral development in this county, we will be like Bedford County. Schools will be overcrowded, teachers will be spread thinner. We need to look at all the percentage of changes. At the present time we have a land value on the books of \$453,704,000 in buildings alone. This does not include what has been picked up this year in new construction. We will place on the books again this year over 100 new houses as compared to 150 last year. Construction is slowing down.

We will have a base which we never had before in the history of the County and that base being over a billion dollars this year. This includes the reassessment figures. We have no idea of what it will cost, we can only guess. It will probably be between 2 and 3 cents. He looks toward 2 cents. If the Board adopts the Land Use Ordinance, he proposes that you increase acreage for open land from 5 acres to 10 acres to qualify. Forest land would remain at 20 acres. The other two categories, Horticulture and Agriculture he will leave to the Board.

He talked to neighboring counties and most of them are planning to adopt Land Use.

Campbell County - \$100.00 per acre assessed value

Nelson County - \$30.00 per acre crop land.

There were some questions regarding the acreage and income from farming to qualify for this land use taxation break. And what is the cycle for change in the value of the property?

Mr. Overstreet stated that he is only familiar with the Bedford County Ordinance, as he lives in Bedford County. That ordinance was developed in a manner that the Board adopts the Land Use Ordinance and then it is up to the Commissioner of Revenue to determine whether it fits into bona fide agricultural land and what that evaluation is. According to what he has seen here, and looked at in the Code, it seems to him that the guidance that the Commissioner is given in one section says "prior to assessment of any parcel under this Ordinance, the local assessing officer shall determine if the real estate is devoted solely to agriculture, horticulture use and consists of a minimum of 5 acres". This is set forth in the Code, so he does not know how much discretion there is in what Mr. Mays has said because if other localities had more flexibility with that, he would like to talk to them to see how they got around this issue, it seems to him that the Board is somewhat restricted to just adopting the ordinance and then Mr. Mays or his predecessor, would do the assessing of the value, using his personal knowledge and what has taken place in the County and recommendations of the State Land Evaluation Advisory Council, which is located at Virginia Tech. Based on the Code, there is nothing in the ordinance that states five (5) acres, it is what the Commissioner of Revenue does.

Applications for this tax break have to be submitted each year. In some cases, the application fee will be more than the taxes themselves.

Mr. Mays closed by saying that if the Board needs additional information or needed to have another work session, let him know, as he is about to enter into his busy season. But, we really need to get this done.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

**MONDAY – JANUARY 29, 2007
REGULAR MEETING
APPOMATTOX COUNTY COMMUNITY CENTER
6:00 P.M.**

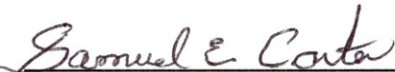
**TUESDAY – FEBRUARY 6, 2007
PUBLIC HEARING – VDOT 6-YEAR SECONDARY ROAD PLAN
APPOMATTOX COUNTY COMMUNITY CENTER
6:00 P.M.**

**REGULAR MEETING
APPOMATTOX COUNTY COMMUNITY CENTER
6:30 P.M.**

**TUESDAY – FEBRUARY 20, 2007
PUBLIC HEARING
APPOMATTOX COUNTY COMMUNITY CENTER
6:00 P.M.**

**TUESDAY, FEBRUARY 20, 2007
REGULAR MEETING
APPOMATTOX COUNTY COMMUNITY CENTER
6:30 P.M.**

At 7:40 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Monday, January 29, 2007 the Appomattox County Board of Supervisors held a special meeting at 6:00 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Administrator

At 6:00 p.m. Mr. Carter opened the meeting and gave the invocation. Mr. Carter also stated that this was not a public hearing. This is an information meeting for the Board to further understand Land Uses.

Mr. Carter introduced Mr. Mark Campbell with the Appomattox Farm Bureau.

Mr. Campbell stated he is the field representative for the Appomattox County Farm Bureau. He works with ten (10) counties in the central part of Virginia from Orange County down through Nelson, Albemarle, Appomattox and Cumberland.

Mr. Campbell done a overhead projection presentation.

The Land Use Program was created in 1972 by the General Assembly to allow counties the ability to tax land based upon usage. One thing that is evident is that even back in 1972, the General Assembly recognized the fact that we did need a program in place to tax land on its use to protect keeping land open to the public and preserving some of

our natural resources. There are four categories in land use assessment – Agricultural, Horticultural, Forest and Open Space. We are mainly focused on agricultural and forest. The fair market value is basically what we have now, what the current assessment is.

There are several things that go into calculating Use Value. The calculated value of a parcel of land when it is restricted to certain uses, such as agriculture. Because it has been restricted, there is a lower value for the purpose of agriculture or forest management.

At the County level, the Commissioner of Revenue, is in charge of land use program. The Code of Virginia establishes that "SLEAC" which you will hear a lot when we talk about land use. This stands for the State committee that works on the land use program and comes up with values and defines the requirements for participation in the program for each jurisdiction.

The Land Use Program also has a website that can be visited containing all the values listed, articles on land use and a lot of other information if you have questions.

There are certain qualifications that land has to meet to be eligible for the land use program. Land use is a voluntary program. It is adopted by the County Board of Supervisors and is administered by the Commissioner of Revenue. Land owners can opt to "not participate". There is usually about a 50% participation.

The qualifications on Agriculture, Horticulture and Open Spaces is a minimum of five (5) acres. There is a twenty (20) acre minimum on Forested Land. Along with this minimum acreage, you have to have a history of five (5) years of production on Agricultural land so it cannot just be five (5) acres of broom sage and pine trees. It has to be in production – same thing with forested land. Counties can vary their restrictions on this. Most counties use a signed affidavit from the land owner that it is dedicated to forest management. Some counties are stricter and require a forest management plan which can be pretty involved. To continue in a land use program, there should not be any changes. There is a "rollback" tax that is assessed when the land use changes or land is rezoned. This is the difference between the fair market assessment value and the land value, plus interest. If the property is sold, the new owner has to make application to enroll this property in the program.

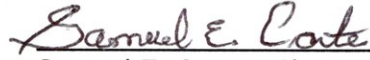
Some counties have someone employed to monitor the land that is placed in the program. Most do not.

The Application fee is generally set by the locality. If you have any questions, you can contact Tom Morrelli, State Tax Commissioner.

Mr. Campbell presented some statistics for Appomattox County based on the 2002 U. S. Agriculture Census. The county had almost seven (7) million dollars in total sales. The top commodities in Appomattox are tobacco, cattle, hay and wheat. The biggest sales receipts are from livestock. We have about 85,000 acres of farmland with the average farm being 218 acres. From the forestry standpoint, total forested area is over 147,000 acres with about two (2) million dollars in timber sales in 2001.

Mr. Campbell believes that the land use program is important for Virginia and Appomattox County.

After a short question and answer period, at 7:00 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Tuesday, February 6, 2007, AT 6:00 P.M. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox County Community Center, located on Community Lane, Appomattox, VA 24522.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District (arrived at 6:05 p.m.)

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
Don Austin – Resident Administrator, VDOT
Donald Harvey – VDOT
Clayton Thomas – VDOT

At 6:00 p.m. Mr. Carter opened the Public Hearing, welcomed everyone in attendance and stated the purpose of this hearing was to receive comments on the Proposed VDOT Secondary Six-Year Transportation Plan for the fiscal years 2007/08 through 2012/13 for Appomattox County.

Mr. Carter then turned the meeting over to Mr. Austin.

Mr. Austin then introduced Mr. Harvey and Mr. Thomas.

Mr. Austin explained the purpose of the Road Hearing. Each year they project some allocations over a six-year period. The Board and VDOT then tries to determine the priority of which roads need to be worked on.

Mr. Thomas presented a handout (Handout #1) to everyone in attendance.

Mr. Austin presented the projected allocations for 2007-08 thru 2012-23:

FY2007-08	\$712,289
FY2008-09	580,747
FY2009-10	467,637
FY2010-11	488,286
FY2011-12	468,962
FY2012-13	468,962

This is not a lot of money to build roads with. Mr. Austin continued with reviewing of project listed on the handout. The first seven (7) items concern countywide projects. The Church Street Project is ongoing at the present time as well as Ferguson Street. These two projects are already financed. The first real #1 priority is Route 613, Police Tower Road; #2 – Route 604 -Promiseland Road; #3 – Route 636 – Rock Spring Road – bridge replacement over Big Cub Creek. Some funding has already come in that is restricted to bridge replacement – Federal funds.

The next projects for funding would be the "Unpaved Roads".

- Route 677 – Log Cabin Road – reconstruction & hardsurfacing
- Route 686 – Bear Branch Road – reconstruction & hardsurfacing
- Route 716 – Pine Crest Place – reconstruction & hardsurfacing

The only new road that has not been in the plan is Route 685 – Tanglewood Road – reconstruction & hardsurfacing. This is a cut-across road connecting Routes 647 and 703. This is a very narrow road being traveled by buses and is in need of attention.

Mr. Austin asked if anyone had any comments or questions regarding this projection.

Mr. Conrad commented on Route 685 – Tanglewood Road. Fixing this road would save an enormous amount of miles for the buses.

Mr. Craft commented on Route 639 – Poorhouse Road near the landfill.

Mr. Austin stated they did not do a traffic count on this road. The unpaved roads on the projected list are for the first two years of the six-year plan. They do not project beyond that because different needs and developments come up and traffic counts change.

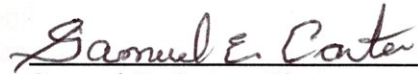
Durwood Royal asked about the first mile of Route 633. There is a lot of development on this road and it is very curvy and there seems to be a lot of accidents on this portion of this road. Mr. Austin will review the accident data for the first mile of State Road 633. Mr. Royal also asked what the requirements were to be classified as a rural major collector. Mr. Austin said he did not feel that Route 633 was not in this classification.

Mr. Conrad commented on the improvement to Lee-Grant Avenue. These improvements have improved the safety of this road tremendously.

Mr. Carter asked if anyone had called regarding Route 662 – Rose Lane. He said VDOT may want to drop by and take a look at this road for pot-holes, etc.

Mr. Carter thanked Mr. Austin for the presentation.

At 6:20 p.m. Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Tuesday, February 6, 2007, the Appomattox County Board of Supervisors held its regular scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA 24522.

PRESENT: Samuel E. Carter, Chairman - Courthouse District
Shawn A. Armbrust - Wreck Island District
Thomas H. Conrad - Falling River District
William H. Craft - Appomattox River District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
John G. Overstreet - County Attorney
John K. Spencer, Jr. - Assistant County Administrator
Johnnie Roark - County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Armbrust to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**
There were no changes to be made at this time.

The next item on the agenda was **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There was no one who wished to speak at this time.

Mr. Carter announced that there were three (3) **APPEARANCES:**

Ms. Kelly Hitchcock - Virginia's Region 2000 Local Council:

Ms. Hitchcock is here to present a plan for a trail system connecting various historic and recreational areas of the community. The plan connects resources from the town to the National Historic Park and the County's Recreational Park.

Ms. Hitchcock stated that this plan was developed by a working committee of members from the Town and County to establish recreational and alternate transportation corridors within the County and the Town. The "Appomattox Heritage and Recreation Trail Planning Team" was formed from a series of joint events that led to the

development of this group. In July 2005 the Town and County applied for technical assistance from the National Parks Recreational Assistance Program and this planning team was developed to look at opportunities for connections to the various trails in the county.

This report essentially gives an overview of how these benefits to the trails and walkways will enhance the quality of life, tourism and economic development. This plan also provides an overview of local and state initiatives that seem to point to the opportunities currently in Appomattox and with the latest phases in looking at these connections. These include the High Bridge Plan, the Blueways and Greenways Plan. Appomattox is seen as a key opportunity in priority for looking at connections locally. Surveys were sent out last fall and a couple of public forums were held in September. The surveys showed that 90% of those who responded indicated that they felt this was a really good opportunity to develop walking opportunities for the county and town. The scenarios that were looked at were connections between the town and the National Park, connection between the Town and County Park, connection of the National Park to the County Park. Also increasing internal walking tours within the town proper, being sidewalks, etc.

Ms. Hitchcock gave a report on the percentage of preferences in reply to the surveys.

The recommendation of this committee would be to provide a plan of action to implement a trail system within the Town of Appomattox and Appomattox County.

Mr. Carter asked if there were grant funds available for the implementation of these plans.

Ms. Hitchcock stated there are several avenues for funding.

Mr. Wayne Phelps, Wall of Honor:

Mr. Phelps has requested a time on the agenda to discuss the Wall of Honor and to answer any questions that he can related to this project.

Mr. Phelps began by stating that sometimes things get covered by a little black cloud. Hopefully, things have pretty much cleared up by now. Mr. Phelps asked if there were any other questions that needed answers. He further stated that they appreciated the Board's support.

Mr. Carter stated that since Mr. Paul Lee, the next speaker, was not yet present they would move on to the next item on the agenda.

Mr. Carter then called for the **ADMINISTRATIVE ITEMS:** (Items 1 – 6)

1. **Resolution Adopting the Six Year Plan:** VDOT Resolution for the Six Year Plan for Fiscal Years 2007/08 through 2012/13.

Mr. Craft made a motion, seconded by Mr. Armbrust, to adopt the following resolution Adopting the VDOT Six-Year Secondary Road Plan. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

RESOLUTION

WHEREAS, Section 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board has previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2007/08 through 2012/13) as well as the Construction Priority List (2007/08) on February 6, 2007 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Don Austin, Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2007/08 through 2012/13) and the Construction Priority List (2007/08) for Appomattox County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Appomattox County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2007/08 through 2012/13) and Construction Priority List (2007/08) are hereby approved as presented at the public hearing.

2. Emmitt Knight's Request for a Waiver to the Subdivision Ordinance:

Mr. Knight is requesting a waiver to the subdivision ordinance minimum lot size requirement. Tax Map #97-1-2C located off Route 604 (Promise Land Road).

Mr. Conrad stated that he can see what there is as far as the ordinance goes. He can also see Mr. Knight's point. However, is he is troubled from the standpoint that it looks like there are other alternatives present and his concern is if we waive the ordinance in this instance we are opening a door saying that this can be done at anytime.

Mr. Craft agrees that there are other options available to Mr. Knight, and he is not in favor of granting this waiver.

Mr. Conrad made a motion, seconded by Mr. Craft, to deny the Request from Emmitt Knight for a waiver to the subdivision ordinance minimum lot size requirement. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. Permit Application for Musical or Entertainment Permit: Cross Country Hunt Club is requesting to hold turkey shoots every Saturday from March 3 – November 10, during the hours of 12:30 p.m. to 6:00 p.m. They are also requesting that they be charged only one fee of \$25.00 instead of \$25.00 per day. They are also requesting that the bond be waived for these events.

Mr. Conrad questioned if we have the authority to waive the fee from \$25.00 a day to a one time fee of \$25.00.

Mr. Overstreet stated that we have the authority to waive the bond requirement, but not the fee as we have done in the past.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the application for a Musical and Entertainment Permit to allow the Cross Country Hunt Club to hold turkey shoots every Saturday from March 3 – November 10 during the hours of 12:30 p.m. to 6:00 p.m. and to waive the bond requirement fee but not the permit fee of \$25.00 per day. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **The American Legion Post 104:** Ms. Ferguson has spoken with James A. Owen, Post 104 Commander and Jesse Osborne several times over the last two weeks concerning the request made by the Board of Supervisors. Commander Owen has written a letter, and also provided a Financial Report on the income and expenditures related to the installation of the Wall of Honor.

Commander Owen and several members of Post 104 will be available to answer any questions the Board may have.

Mr. Craft thanked Mr. Owens for clearing up these questions and getting this issue "off the table".

Mr. Carter thanked Mr. Owens for his informative letter and also their indulgence.

5. **Membership on the Chamber of Commerce Board of Directors:** At a previous meeting the Board was provided with a letter from the Appomattox Chamber of Commerce requesting that a member of the Board of Supervisors serve on the Chamber Board. Action is needed on this request.

Mr. Carter has spoken with each member of the Board of Supervisors and they appreciate the opportunity to serve on the Chamber of Commerce Board of Directors, but they decline from serving on this Board as it may present a conflict of interest in the future.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to have Ms. Ferguson notify the Chamber of Commerce of the Board's decision to decline the invitation to appoint a member to serve on the Chamber of Commerce Board of Directors at this time. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Land Use Taxation Assessment:** In light of Mark Campbell's presentation on January 29, 2007, how does the Board wish to proceed with the matter of Land Use Taxation. Do you wish to hold a public comment session or draft an ordinance and hold a public hearing.

Mr. Conrad commented that this is probably one of our tougher issues, as we certainly have a lot of citizens that are basically farmers and they are certainly affected by this.

We, however, also have a lot of people in the county that own land and utilize this land for income, but we have a situation that we are going to have to come to an agreement on. It is important to note at this point, that everybody that has spoken to us, in one way or another, their comments have been to help us in making a decision. He still feels that we need totally objective comments as to how this will effect the county in the short and long term. Again, he understands land use but we have until July 1st to make a decision on this issue because of the re-assessment taking place in January, 2008. We still have some issues that need to be dealt with. Our county has not grown nearly as fast as projected. This has to be a part of the decision making process. We need to find someone who can provide pros and cons on this issue. He feels the Board needs to study all the information available in order to make a final decision. Also we need to look at other counties similar to ours that have entered into this and some that did not, and we need to know why? We need to be educated to every aspect of this issue and understand it before we make a decision.

Mr. Moore would like to hear from other counties that have gone to Land Use Taxation and what the end effect had on these localities. How has it impacted taxes? We have learned that some counties do have it and others do not.

Mr. Armbrust stated we have listened to a lot of people speak on this subject. We have received a lot of good information. The whole thing is the financial formula. We will not know what the outcome will be until we actually put in the numbers. He is for the farmers and he is for giving them a break, but we must understand where we are going to get the money from to make up what we will lose. We learned from Mr. Mays that construction is up from last year, but this does not generate a great deal of revenue. He agrees with Mr. Conrad that we need to hear from someone who has implemented this taxation and has had it in effect for five or so years to see whether it was good or bad for the farmers and for the citizens.

Mr. Craft agrees with what Mr. Armbrust and Mr. Conrad both have stated. We must have some final figures. We need to have a public comments session to receive comments from everyone, not just the farmers.

Mr. Carter agrees with the other Board members. When this first surfaced, he thought it was a genuine tax break for the farmer. What he understood from the last meeting, this was basically for land conservation. He also feels we need to grasp all the information we can before we make a decision that will affect us now and many years down the road.

Ms. Ferguson made the comment that we do not have until July to make this decision. We need to have some idea of what revenue we will gain or lose before we begin working on the FY2008 budget, as this will be what we have to base our budget on. Also, we will have no way of knowing how many farmers will sign up for this land use tax break.

This issue will be placed on the agenda for the next meeting.

Mr. Carter next asked Mr. Paul Lee to appear before the Board.

Paul Lee, Auditor with Robinson, Farmer, Cox Associates:

Mr. Lee is appearing to present the FY2006 Financial Report for the County of Appomattox.

Mr. Lee did a review of the Financial Report and stated that the fixed assets and liabilities will give you an idea of where you are going. From a financial health point the county is in good shape. The General Fund did go down last year, but only about one-half of what was budgeted. The fact that we have been able to put money aside in Capital Projects over the years, has helped a lot. Tax collection wise, we were down a little this year as compared to the last ten (10) years, but by next year you could be back up to where you were normally. There were no real problems within the county. Every department was very cordial in helping them gathering the information they needed.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 7-18)

7. **Approval of Minutes:** Please approve minutes of Regular Meeting of December 18, 2006; Public Hearing of December 18, 2006; Organizational Meeting of January 3, 2007; Public Hearing of January 16, 2007; and Regular Meeting of January 16, 2007.

8. **Approval of Bills:** Please approve bills for payment as submitted.

SUPPLEMENTAL APPROPRIATIONS:

9. **Health Department:** Please appropriate by consent and supplement \$10,495.00 to the Health Department's FY07 budget for our share of the salary and benefits for an Environmental Health Specialist position shared with Amherst and Campbell Counties.
10. **Commonwealth Attorney:** Please appropriate by consent and supplement \$16,330.00 to the Commonwealth Attorney budget for equipment. The Compensation Board has some funds available for the purchase of equipment, etc. Our portion is \$4,310.00 or 26.39% which is Appomattox County's composite index.
11. **E911:** Please appropriate by consent and supplement \$300.00 to 3606-3002 for a refund received by the 911 Center.
12. **Juvenile and Domestic Relations District Court:** Please appropriate by consent and supplement \$650.00 for equipment etc., for video conferencing.
13. **CSA:** Please appropriate by consent and supplement \$226,476.11 to the CSA budget to pay for services for the balance of FY2007.
14. **Treasurer:** Please appropriate by consent and supplement \$3,100.00 to the Treasurer's budget for salary increases approved by the Compensation Board for several of the Treasurer's employees.

15. **Old Elementary School:** Please appropriate by consent and supplement \$1,494.00 to 8105-6014 to pay J. E. Jamerson for the balance on the windows at the old elementary school museum.

Please appropriate by consent and supplement \$30,973.00 to 8105-6015 CVCC Satellite to pay HDH and J. E. Jamerson.

LINE ITEM TRANSFERS:

16. **Commissioner of Revenue:** Please transfer \$13,000.00 from Operating Reserve to 1209-5803 in the Commissioner of Revenue's budget for refunds.
17. **Board of Supervisors:** Please transfer \$40,000.00 from the Virginia Domestic Victim Grant budget to Operating Reserve for funds supplemented in error.

FUND APPROVAL:

18. **Law Library Fund:** Please approve payment of the following bills from the Law Library Fund:

Matthew Bender & Co., Inc.	\$ 85.79
West Payment Center	364.70
West Payment Center	340.38

Mr. Conrad questioned two (2) bills presented for payment:

Page 5 of the printout - Item 3301-7029 - Is this for housing inmates? Yes.

Page 7 - Landfill Cell - Professional Services - Gas Remediation.

Mr. Conrad also questioned Item 16 - Line Item Transfers - Commissioner of Revenue: what these refunds were for.

Ms. Ferguson answered - refund for taxes paid in error, either Real Estate or Personal Property.

Mr. Craft made a motion, seconded by Mr. Conrad to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter called attention to the **INFORMATIONAL ITEMS:** (Items 19-27)

19. **Department of Social Services:** Study performed by JLARC on Social Services expenditures.
20. **Auditor of Public Accounts:** Auditor of Public Accounts have audited the Clerk of the Circuit Court and found no areas of noncompliance.
21. **Appomattox County Chamber of Commerce:** The Chairperson of the Community of Candles has reported the first place honor for municipal buildings was awarded to the old Courthouse.
22. **Planning Commission Annual Report:** 2006 Annual Report for the Appomattox County Planning Commission.
23. **2007 Appomattox County School Board Meeting Calendar:** The School Board has provided us with a copy of their meeting schedule for 2007.
24. **United Way Virginia 211:** The United Way has provided you with quarterly information concerning the number of inquiries that have been received from Appomattox County Citizens.

- 25. **Robert E. Lee Soil and Water Conservation District:** Minutes of the November 30, 2006 Board of Director's Meeting .
- 26. **United States Department of the Interior:** The Appomattox Court House National Historical Park has provided information concerning their proposed fee increases.

Mr. Carter asked that Ms. Ferguson thank Ms. Dixon and Mr. Watkins for the decorations at the Old Courthouse for Christmas which one first place.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Conrad: Upon entering into the new budget process, we in the past have let the School Board and the Constitutional Officers know we try to fund them as much as 2/3 - 3/4 of the proposed budget. He would like to look at maybe next year, based on research to think about determining how much we can afford, if possible, to give the schools based on the revenue we expect. Then present this figure to the School Board and ask that they work their budget within this figure. They will then have to prioritize their needs.

Mr. Armbrust: No concerns. He would like to note that it was very honorable of the American Legion to make the comments regarding the recent mix up.

Mr. Craft: He would like to report that Halifax voted to allow Appomattox into the Regional Jail Authority by a 7 – 0 vote at their meeting on 2-5-07.

Mr. Moore: None.

Mr. Carter: None.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

Regular Scheduled Meeting
Tuesday, February 20, 2007
6:30 p.m.
Community Center

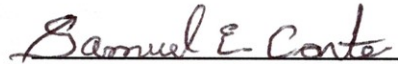
Regular Schedule Meeting
Monday, March 5, 2007
6:30 p.m.
Community Center

Joint Meeting with School Board
Monday, March 12, 2007
7:00 p.m.
School Board Office

Ms. Ferguson commented that anyone able, please plan to attend Bedford County Regional Jail Meeting on Monday 2-12-07 at 5:30 p.m. and Bedford City on Tuesday, 2-

13-07 at 6:30 p.m. Also Campbell County on Friday 2-16-07 at 1:00 p.m., please let her know.

Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)


Samuel E. Carter, Chairman

On Tuesday, February 20, 2007, at 6:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing on the Resource Conversation Plan for Appomattox County. This public hearing was held at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):

George Almond – Chairman
Kevin O'Brien
Steve Conner
Calvin Tanner
Susan Hudson
Shannon Dews
Marvin Mitchell
Barry Morris
Bryan Baine

ABSENT (Planning Commission):

Al Sears

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:00 p.m. Mr. Carter opened the Public Hearing and stated the purpose was to receive comments on the Resource Conservation Plan. The plan is being proposed as an

amendment to the Community Development Plan. Anyone wishing to speak, please step forward, give your name and address for the record.

Mr. Carter then turned the meeting to Mr. Roark who gave a brief overview of the plan. Mr. Roark began by saying that a couple of months ago each board member received a copy of the Community Development Plan and hopefully you had time to read over it. We have for the past year been talking about a new development plan to accomplish goals that were set up a couple of years ago. The plan was to have a tentative plan adopted. After Mr. Stidham left, things sort of got "out of whack". Since he came on board, he has tried to get things back "on track". This is the first "mini" or pending plan for Comprehensive or Community Development Plan. What this Resource Conservation Plan does is ask three (3) important questions. Where is growth taking place? What areas are best suited for development? And How and what resources should be preserve? We broke this into two (2) parts: 1) Future land use map and 2) general guidelines for preservation of agricultural, forested areas, water resources, etc.

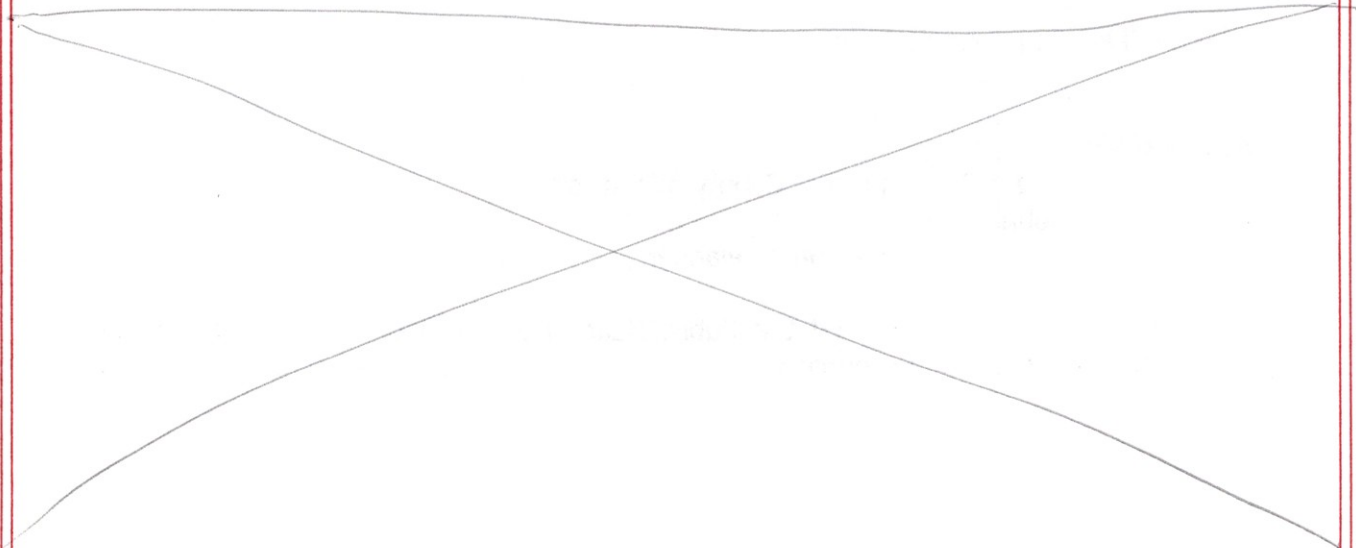
This is what the entire document is and if you look at the map, it talks about the two (2) shades of green. The darker green is conservation areas – areas that we want to preserve pretty much the way they are. The lighter green is the rural preservation areas – agricultural land. The orange and red areas are two of the key elements. The orange is the primary growth area, where residential growth basically will take place - Stonewall, Concord, the Police Tower Road, Pumping Station Road, Purdum Mill Road and the Promise land area. Also the area north of town around Horseshoe Road. This is the way the Planning Commission envisions high density development will go. The red is where they envision commercial development going - basically along Route 460. The area west of town to Campbell County. A little area towards Evergreen and then skip down to Pamplin. This also deal with the village hubs which do not fit into any one single use category as they are planned for a mixture of uses designed to blend together into village type settings. These are primarily residential but contain an integrated neighborhood of commercial, office, civic uses and parks and shown in the beige color.

Mr. Roark asked if anyone had any questions.

Hearing no comments, at 6:10 p.m. Mr. Carter closed the public hearing.

Samuel E. Carter

Samuel E. Carter, Chairman



On Tuesday, February 20, 2007, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
Bobby Wingfield – E-911 Coordinator
Lonnie Hamlett – Building Official
Barry Watkins – Facilities Manager

At 6:30 p.m., Mr. Carter called the meeting to order and asked Mr. Conrad to give the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **SETTING OF THE AGENDA:**
ADD: 4A – Monte Mays – Request

Mr. Carter stated the next item on the Agenda was **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one present wished to speak at this time.

Mr. Carter recognized Lonnie Hamlett, the County Building Official on achieving the title of Fire Marshall. This is quite an achievement. The Board and also the County Administration praise and recognize your diligent work in obtaining this certification.

Mr. Carter then called for action on the **ADMINISTRATIVE ITEMS:** (Items 1-4)

1. **Appomattox Heritage and Recreation Trail Plan.** At the February 6, 2007 meeting Kelly Hitchcock presented the Heritage and Recreation Trail plan that has been prepared for your approval. Recommendation is that we adopt the plan presented by Ms. Hitchcock and approve our participation in a grant application for a Rural Transportation Planning Grant.

After a brief discussion, Mr. Craft made a motion, seconded by Mr. Conrad to adopt the Heritage and Recreation Trail Plan and approve Appomattox County's participation in a grant application for a Rural Transportation Planning Grant. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Bid for Renovation to Commonwealth Attorney Office:** As discussed previously, we advertised for a contractor to renovate office space in the

Courthouse for the Commonwealth Attorney. We received one (1) bid for this project and that bid was for twice the amount that Gary Harvey with Craddock-Cunningham Architectural Partners estimated it would be. Recommendation is to reject all bids and look for an alternative.

Ms. Ferguson stated that the bid received was three times the amount the estimated cost of this renovation.

Mr. Moore made a motion, seconded by Conrad, to reject all bids pertaining to the renovation of the Commonwealth Attorney's office for reasons set out in the contract file. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye bids)

3. **Building Permit Refund Request:** Mr. Herbert A. Ector is requesting a refund for building permit fees that he paid to the County. When Mr. Ector completed his building permit application he stated that he was installing a two-story building. He is actually installing a one-story building, resulting in an overpayment of \$256.41.

After a short discussion period, Mr. Craft made a motion, seconded by Mr. Moore, to refund Mr. Herbert A. Ector the amount of \$256.41 for an overpayment on building permit. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Land Use Taxation Assessment:** At the February 7, 2007 meeting, the Board discussed the subject of Land Use Assessment. Ms. Ferguson was asked to contact other localities that had recently implemented Land Use Assessment and see what impact it had on their tax rate. In an attempt to locate a locality that met this criteria, she contacted James Campbell with Virginia Association of Counties. Mr. Campbell informed her that the trend is moving away from land use assessment. She also received an unsolicited e-mail from Southampton County Administrator warning that the estimate that the Farm Bureau had provided them was almost one-half what the actual impact was on their tax rate. Does the Board wish to move forward with this process?

Mr. Armbrust stated that the reason for looking at some of the other localities was to get an idea of what the impact would be. The information furnished by the Farm Bureau was good, but it was based on 2001-2002 figures. Times change, land changes, development changes. If we look at some of the information that came to us, the impact on tax rate was 6 to 11%. He does not feel our citizens can bear this amount.

Mr. Conrad is not willing to throw this to the wind just yet. He commented that Ms. Ferguson had done a great deal of work on getting us some figures from Weldon Cooper. At the last meeting we discussed reviewing some of this to at least kick off our ability analysis from many different facets. He can see some benefits. He can also see where there is a contradiction in the County cost. Certainly based on the information we have gotten, people living in residential areas, for every dollar they pay into taxes you will probably have a cost of \$1.15 to \$1.25 of services received. We have a list of the

other counties, what their populations are, what their growth rates are, and based on what the land use assessments are you see a lot of them have an assessed rate for \$70.00 up to \$250.00. At the same time another chart which indicates that based on what we heard that this whole program was put into effect in the 70's to halt the development in certain areas so that you continue to keep the rural areas you have. For the most part, those counties continue to grow. We are currently in a reassessment process and we will have trouble ahead if we end up having our land assessed at \$2,000.00 or more an acre. About 70% of our county will be negatively effected by this land use. We have been hearing mostly from the farmers, homeowners are not in favor of it. He would like to have a public comment session to hear from everyone. It is encumbered upon us to do what is best for the county as a whole.

Mr. Craft commented the need to have a public hearing. We also need to work with the person that will set the assessed value and also the person who will be handling the applications for land use as to who is qualified and who is not.

Mr. Overstreet mentioned that there is a methodology for determining this rate and an organization at VA Tech that furnishes information to the Commissioners of Revenue, based on an analysis. They then give this figure to the Commissioner of Revenue so he is not just pulling a figure out of the air. However, he does not have to use this figure, but he does have to justify the figure he determines to use.

Mr. Moore commented that he has a lot of confidence in Mr. Mays, the Commissioner of Revenue and he does not feel that Mr. Mays would do anything that shouldn't be done that would be against the County.

Mr. Armbrust agrees with Mr. Moore regarding Mr. Mays but he believes it is out of his hands when it comes down to what is put in place.

Mr. Carter remarked that it appears the majority of the Board would like to have a public comment session to make sure we hear from both sides of the issue. This public comment session was scheduled for March 15, 2007 at 7:00 p.m. at the Appomattox Community Center. Notice will be published for two weeks - 2/28 and 3/7.

Mr. Mays will be invited to meet with the Board on March 5, 2007 at 6:00 p.m. to explain the formula used for these taxes.

Mr. Conrad left the meeting at 7:03 P.M.

4A. Request from Monte Mays: Mr. Mays is requesting funds to provide additional help with the changing of addresses on the County Real Estate Cards due to implicating the E-911 system. Mr. Mays estimates he will need someone for about 420 hours @ \$8.00 per hour for a total of roughly \$3,360.00.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Moore, to approve supplementing \$3,360.00 to 1209-1003 Part-time Salaries and \$258.00 to 1209-2001 FICA to the Commissioner of Revenue's Budget for hiring part-time personnel to enter changes of addresses to County Real Estate Cards and Personal Property sheets. VOTE:

Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called for the **CONSENT AGENDA:** (Items 5 – 8)

5. **Approval of Minutes:** Please approve minutes of Special Meeting on 1-29-2007; Public Hearing on 2-6-2007; and Regular Meeting on 2-6-2007.

6. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

7. **Sheriff's Department:** Please appropriate by consent and supplement \$6,829.38 to 3102-5408 in the Sheriff's budget for repair check received from the insurance for damage to one of the deputy cars.

Please appropriate by consent and supplement \$130.00 to 3102-5409 in the Sheriff's budget for funds collected in connection with Project Lifesaver.

8. **Library:** Please appropriate by consent and supplement \$751.10 to the following line items in the Library Budget for monies received from book replacement fees, donations and book sales:

7301-5401 – Office Supplies	\$374.45
7301-5411 - Books	244.64
7301-5414 – Pamplin Depot Library	132.01

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called attention to the **INFORMATIONAL ITEMS:**

9. **Appomattox County Public Schools:** Financial Report for January 2007 for the Appomattox County School system.

10. **Regional Meetings:** The Virginia Association of Counties will be conducting regional meetings across the state during the Spring. Hugh Pendleton, VACo Director, will be hosting a Region 10 meeting which has been scheduled for Thursday, March 29, 2007 from 3:00 p.m. to 5:00 p.m. in the Pittsylvania County General District Courtroom in Chatham.

The purpose for this meeting is to identify legislative issues and bring VACo members together. Please notify Ms. Ferguson if you wish to attend.

11. **Recycling Requirements for Appomattox County:** DEQ has informed us that we have met our recycling rate for 2005.

12. **Biosolids:** Letter received from Kelly Dove, Technical Services Director for Synagro, letting the Board know that they will be applying biosolids in Appomattox County.

13. **Department Reports:** Per your request, reports were received from various Departments on their activities.

Mr. Carter then asked for **SUPERVISOR CONCERNS:**

Mr. Craft – Campbell County today voted to approve Appomattox to the Regional Jail Authority.

REMINDER OF UPCOMING MEETINGS:

**Regular Schedule Meeting
Monday, March 5, 2007
6:30 p.m.
Community Center**

**Joint Meeting with School Board
Monday, March 12, 2007
7:00 p.m.
School Board Office**

**Regular Schedule Meeting
Monday, March 19, 2007
6:30 p.m.
Community Center**

At 7:12 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)


Samuel E. Carter, Chairman

On Monday, March 5, 2007 the Appomattox County Board of Supervisors held a Special Informational meeting at 6:00 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie E. Roark – County Planner
John K. Spencer, Jr. – Assistant County Administrator

At 6:00 p.m. Mr. Carter called the meeting to order and stated the purpose of the meeting was to receive information from Monte Mays, Commissioner of Revenue, regarding Land Use Assessment Taxation.

Mr. Carter thanked Mr. Mays for coming and turned the meeting over to him.

Mr. Mays began by stating that he is committed to seeing that this program is enacted. He will be present at the March 15th board meeting and will show the board a formula as to how this program will work.

In 2002 when the reassessment was performed, it was done improperly. Anyone who knows anything about reassessment will agree with him. The same firm that did the reassessment for Appomattox did the one for Buckingham, and they had all kinds of law suits in their county.

What he is emphasizing is, when the next reassessment goes into effect, you will see such an increase in values that you have never seen and will probably never see again because of the way the 2002 reassessment was done. Land values in 2002 should have been \$2,000 an acre and they averaged out to \$1,000 per acre. We should have gone to land use in 2001 to be effective in 2002, but we didn't. The reason it has not been brought up in the past thirty (30) years is because no one applied for land use. They will be applying this year. You will see values (total values) go up equal and over a billion dollars. This will allow you to give back a portion of that assessment to the farmers. They are the ones that will get hit the hardest following the reassessment, if we do not go into land use. There is some concern about other peoples taxing increasing, some of them will. His will be among them. His point is, has been and will be "I don't want to see Appomattox County get into the shape that Bedford County has gotten into". We do not have the industry to offset these increase in sub-divisions and one of the things the brought up was that we are putting so many new houses on the books. The comment was made that there was not much growth in our county. 500 new houses in four (4) years is a lot of growth. These 500 new houses will not solve the problem. If one house has one child, the county will lose money. It costs the county a little over \$2,000 to educate that child, and on the average one house will bring in about \$800. New construction is not the answer. Mr. Mays stated that he did not say, "I think we will look at a 2 cents increase". He has said all along that he does not know what the increase will be. This cannot be determined until the farmers apply for land use.

Mr. Mays handed out information received from Augusta County. Some of these can be changed. However, the five (5) acres and your twenty (20) acres are pretty much etched in stone, they cannot be changed. Augusta County charges \$12.00 application fee, plus twelve (12) cents per acre, every six (6) years. Mr. Mays feels we should base our figures on every four (4) years. He also feels that Mr. Wingate will give the county a

proper assessment, which was not done in 2002. One thing he does not agree with Augusta County on is the five (5) year history for the property.

At this point, Mr. Conrad, interjected some figures from Bedford County, that land use has not curbed the growth of the county. According to what he sees, the majority of our taxpayers would see a substantial increase in their taxes. He does not feel that anyone wants to be paying these higher taxes. You stated a little while ago, that it does not matter to you, well it matters to him.

Ms. Ferguson stated that when the Board asked her to check with VACo regarding land use taxation, VACo indicated that the trend is moving away from land use taxation. This was when she received the letter from Southampton County.

Mr. Mays stated that no other counties are going to see the increases that we see.

Mr. Mays suggested that the tax exemption for the elderly be raised from \$15,000 to \$18,000. This would help some for those on fixed incomes.

Ms. Ferguson asked what Mr. Mays thought the increase in residential values. Most of the talk has been about farm land and forest land, not much has addressed the subject of residential property. He sees maybe a 10% increase in this.

There was more discussion on the increases on property values.

At 6:37 p.m. the meeting was adjourned.


Samuel E. Carter, Chairman

On Monday, March 5, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. in the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for **Setting of the Agenda:**

There were no additions/deletions to the agenda.

Mr. Carter then called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

There were no comments to be made at this time.

Mr. Carter stated the next item of the agenda was **ADMINISTRATIVE ITEMS:** (Items 1-3)

1. **Resource Conservation Plan:** On February 20, 2007 the Board of Supervisors and the Planning Commission held a joint public hearing to receive public comments on the proposed Resource Conservation Plan. No comments were received.

Recommendation is adopting the Resource Conservation Plan and incorporating it as an amendment to the 2003 Community Development Plan.

Mr. Armbrust made a motion, seconded by Mr. Conrad to adopt the proposed Resource Conversation Plan as an amendment to the 2003 Community Development Plan. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Region 10 Virginia Association of Counties Meeting:** Plans have been finalized for the Regional VACo meeting and anyone wishing to attend should contact Ms. Ferguson so arrangement can be made.

Ms. Ferguson asked to be notified if anyone wished to attend by March 22, 2007.

3. **Lease Agreement for CVCC Appomattox Satellite:** Mr. Spencer and Mr. Overstreet have worked with CVCC to develop the lease agreement for use of the space recently renovated in the old 3rd grade wing. This lease has already been approved by the Chancellor of the Virginia Community College System. CVCC has requested that the Board approve the lease and authorize Ms. Ferguson to execute the document on its behalf.

Mr. Overstreet stated that he and Mr. Spencer had met with the CVCC officials in Lynchburg regarding several little things but the biggest concern was the lease period term which was five (5) years initially and we felt like it was necessary for the County to have a ten (10) year lease. CVCC agreed to this ten (10) year lease period. There was one other item of concern, rent being at the "market rate". We will have to deal with this when we get there. This is not as much a concern with the ten (10) year lease as it

was with the five (5) year lease. He recommends that the Board approve this lease agreement.

Mr. Carter made the statement that he felt that this was a good deal and thanked both Mr. Spencer and Mr. Overstreet for their efforts.

Mr. Conrad asked if Mr. Overstreet could explain the Subordination Agreement? Is this a separate agreement?

Mr. Overstreet replied that this is a separate agreement and has to do with our bond issues. It is not necessary to sign this agreement at the present time.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the Deed of Lease with CVCC for approximately 4,590 square feet of space known as 136 Carver Lane in the Carver-Price Educational Complex, including 28 regular parking spaces and 2 handicapped parking spaces for a term of ten (10) years and the sum of Four Hundred, Thirteen Thousand, One Hundred and 00/100 Dollars (\$413,100.00). Installments of Three Thousand, Four Hundred and Forty-two and 50/100 dollars (\$3,442.50) at the end of each month beginning July 1, 2007. Ms. Ferguson, County Administrator, is authorized to sign this document for the County of Appomattox. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then called for action on the **CONSENT AGENDA:** (Items 4 – 9)

4. **Approval of Minutes:** Please approve minutes of Public Hearing held on 2-20-2007 and Board of Supervisors meeting of 2-20-2007.
5. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

6. **Commissioner of Revenue:** Please appropriate by consent and supplement \$23.62 to the Commissioner of Revenue's budget to reimburse an individual for 2005 taxes that they paid on Amherst County.
7. **Sheriff's Department:** Please appropriate by consent and supplement \$1,205.22 to the Sheriff's budget to pay for reimbursement from the Federal Government for one of the deputy's salaries.

Please appropriate by consent and supplement \$368.75 to 3102-5408 in the Sheriff's budget for reimbursement received for damages to one of the cars.

Please appropriate by consent and supplement \$177.04 to 3102-1002 in the Sheriff's budget to pay for overtime reimbursed by Express Lane for a deputy working security.

8. **Animal Control:** Please appropriate by consent and supplement \$1,620.03 to 3501-5408 in the Animal Warden's budget for reimbursement received from the

insurance company for damage to one of the vehicle that occurred during ice storm.

9. **Commonwealth's Attorney:** Please appropriate by consent and supplement \$3,300.00 to the equipment line in the Commonwealth's Attorneys budget for additional funds received from the Compensation Board.

FUND TRANSFER:

10. **Law Library Fund:** Please approve payment of the following bills from the Law Library Fund:
- | | |
|---------------------------|---------|
| Matthew Bender & Co. Inc. | \$35.13 |
| West Payment Center | 364.70 |

Mr. Moore made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

11. **Pamplin Volunteer Fire Department and EMS:** Letter from Harry Elam, Jr., Treasurer of Pamplin Volunteer Fire Department, thanking you for your continued support of the needs of the fire department.
12. **NACo 2007 Update:** E-mail from Marilyn Blake updating us on the preparations being made for the 2007 National Convention.
13. **Robert E. Lee Soil and Water Conservation District Meeting:** Minutes of Board of Directors Meeting held on January 25, 2007.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Armbrust – none
Mr. Conrad – none
Mr. Craft – none
Mr. Moore – none

Mr. Carter made the following comment. "I would like to commend the Appomattox County Rescue Squad for taking action to up-grade their emergency service capability to the citizens of Appomattox. Over the past years our Rescue Squad has endured significant changes that range from somewhat limited personnel to employers being unable to let the squad member(s) off during working hours. We have had meetings with the Rescue Squad to troubleshoot/brainstorm ways and means to regain the strength that was once there. I think now a course of action has been launched by the Rescue Squad minus any help form the county to render the much needed service it provides. I think we will benefit from the results shortly".

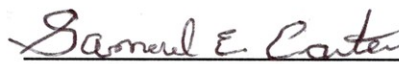
UPCOMING MEETINGS

Joint Meeting with School Board
Monday, March 12, 2007
7:00 p.m.
School Board Office

Public Comment Session/Land Use Assessment Tax
Thursday, March 15, 2007
7:00 p.m.
Community Center

Regular Scheduled Meeting
Monday, March 19, 2007
6:30 p.m.
Community Center

At 6:55 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE:
Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye.
(5 aye votes)


Samuel E. Carter, Chairman

On Monday, March 12, 2007, at 7:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County School Board held a joint meeting at the School Board Office located on Court Street, Appomattox, VA.

PRESENT (Board of Supervisors):

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: (Board of Supervisors):

Shawn A. Armbrust – Wreck Island District
Russell H. Moore – Piney Mountain District

ALSO PRESENT: Aileen T. Ferguson – County Administrator

PRESENT (School Board):

Bobby Waddell
Clifford Rhodenizer
R. W. Mitchell
Todd Pickett
Amy Martin

ALSO PRESENT:

Brenda Gowin
Janice Marston
Dorinda Grasty
Billy Perrow

At 7:00 p.m. Mr. Carter called the Board of Supervisors to order. Mr. Waddell also called the School Board to order.

Mr. Waddell welcomed everyone present and thanked the Board of taking time to meet with them tonight. Due to a death in the family, Dr. Krug was not able to be present, so Mr. Waddell, presented a power point presentation on the "Superintendent's Proposed FY '08 School Budget".

The theme for 2006-07 is "Reflecting on Teaching and Learning" which is certainly befitting to all the students and teachers. The subjects discussed were:

Reflecting on Success:

- All schools "fully Accredited" for 3 years
- Three schools met "Adequate Yearly Progress"
- AES named "Distinguished National Title I School" for Virginia

Methods of Accomplishment:

- Hard working and dedicated staff
- Small class sizes and services to students
- Early interventions
- Curriculum alignment work
- Professional development to refine teaching strategies
- Ongoing Assessment of student achievement
- Effective uses of instructional technology

Mr. Waddell also discussed:

FY '08 Budget Goals:

- Programs and Services for students:
 - At risk and alternative
 - On line and dual enrollment
- Competitive salaries and benefits
- Federal and State program and staffing requirements
- Support services, equipment and facilities
- Public and community relations

FY '08 Budget Challenges:

- Declining student enrollment
 - 2006-07 budget based on 2,261
 - 2007-08 budget based on 2,228
 - reductions not always possible in some areas
- State funding based on fewer students
- State funds targeted to specific areas
- Decrease in budgeted sales tax revenue
 - (state error in FY' 07)

Mr. Perrow spoke briefly on this item.

- Increase in VRS rates

Budget Unknowns:

Final state funding
 Federal funding
 High School course selections
 Kindergarten enrollment
 Employee health insurance increase

Mr. Perrow stated they expect a very good renewal rate. However, the Retiree Health Care Credit with VRS is being changed and proposed to increase. Rates for this cost increase is expected to be little.

Proposed Budget Based on:
 State projected enrollment of 2,228

Primary Areas of Emphasis:
 Salaries
 Goal: Attract and retain highly qualified staff,
 Professional and support
 Teachers – 2004-05: 128 of 133
 Administrators
 Support staff

Mr. Waddell discussed a chart prepared by Mr. Perrow comparing 2006-07 teacher's salaries by experience to the surrounding counties. Overall, Appomattox was below the other counties with the exception of starting salaries, which ranked second. Teachers are a lot more transient today, than they were several years ago, especially if they can make several thousand dollars more in an adjoining county.

At-risk students:
 Goals: Reduce drop outs and increase student membership
 New Programs for Middle school students not promoted
 Strategic Reading program for ninth grade at-risk students

Ms. Ferguson asked what the school program was doing to reduce the student drop-out rate.

Reply that the strategic Reading program for ninth graders as well as several other options – GED program. There is also a year long English class and several other special ed classes.

Question was asked what happens if an 18 year does not graduate and decided not to return to school the following semester, is there any contact made to these children to try to encourage them to return.

When a student turns 18, they can drop out. Some of these get menial jobs and choose not to return.

Dual enrollment and on-line courses.
 Early college concept – phase in

Dual Enrollment Offerings 2007-08:
ACHS Campus CVCC Lynchburg CVCC Appomattox

English Comp.	Admin of Justice	Principles of Psych.
Calculus	EMT I and II	Spanish 201
Nuclear Science 1	Machine Tools	Spanish 202
Microsoft Office	Welding	Nuclear Science II
Adv. Desktop	HVAC	History 101
Principles of Selling	CISCO networking	History 102
Accounting	Electronics Techniques	Political Science
Early Childhood		

There were 130 courses taken in 2006-07.

On-Line students – adult supervision

Middle School

High School

Health and Wellness issues

Nursing supervision

Required health and wellness program for students and staff

Teaching Positions – Reductions

Grades K-5

Remediation specialist

Three classroom positions

Middle School

Special education

High School

Special education

Computer Sciences Technology

Other Reductions:

Reductions through attrition

Seven (7) teaching positions:

One computer systems – not filled 06-07

One remediation specialist – Title I special grant for 2006-07

Two special education due to enrollment

Three K-5 classroom positions

Transportation:

One driver – consolidation of 2 routes

There were several new items added to the 2007-08 Budget:

Teacher Assistant for High School Special Education Resource Program
(\$20,000)

Al's Pals Program (\$3,945)

Health and Wellness (\$6,250)

Nursing Supervision

Site based wellness coordinators

Alternative program for Middle School failures – software (\$17,000)

On-line course supervision – (\$28,000)

Highlights of FY '08 Salaries and Benefits:

The proposed budget includes:

- a 6% increase for teachers
- a 3% increase for Support Staff (56 employees will receive 1%)
- 2 or 3 year plan for Administrative staff
- a 3% increase in Employee Health Insurance

There is a Funding potential of \$1.22 million for Competitive Grants:

- Primary School after school program (2005-2008)
- Middle School after school program (2007-2010)
- Al's Pals pre-school through grade 2 (2003-2007)

The proposed budget does not include any Capitol Improvements or vehicles. However, there were a few immediate facility needs:

- Electrical capacity at ACHS, APS, and AMS. (Technology demands a lot of electricity)
- Primary School Water line
- Primary School driveway and parking lot - \$75,000
- Smoke detection equipment - \$200,000

Long Term Facility Needs:

- Comprehensive County Facility Plan
- County growth impact on enrollment
 - Housing and retail growth
- School Division Needs
 - Instructional areas: APS, ACHS (Mobiles), AMS, Alternative program, Adult Education
 - Athletic Fields
 - Support Services:
 - Administrative Offices
 - Bus Shop – OSHA and DEQ
 - Maintenance
 - Warehouse and storage – shared with county

Additional Local Program Support:

- Additional raise for teachers
- Maintain 3rd class for 3 year olds
- Maintain 1 Remediation Specialist for K-5
- Allow for expansion of students taking on-line courses
- Purchase licenses for middle school program for students repeating a grade
- Initiate a middle school after school soccer program.

Mr. Waddell discussed the Projected Revenue for FY '08 compared to FY '07:

	FY '07	FY '08
State	\$11,341,392	\$11,730,769
Sales Tax	2,222,566	2,109,793
Federal	1,345,386	1,435,222
County	5,365,610	5,613,957

Other	<u>379,800</u>	<u>409,800</u>
TOTAL	\$20,654,754	\$21,299,541

Local Program Support \$265,032.

The Proposed School Budget for FY '08 is \$21,299,541 which is a 3.12% increase over FY '07.

Mr. Conrad stated he had read that some of the schools that were going to reject some of the mandates under the "No Child Left Behind Act" which would result in their losing Federal Funding. What would happen to those funds that were rejected, would they be prorated and re-distributed to the other schools in the state or would they use it to hire someone else in the Department of Education in Washington? He is curious to know what happens to these funds.

They would lose any monies that were connected to the "No Child Left Behind" program. It would probably take a couple of years for these funds to be re-allocated.

Mr. Craft made the comment that the top salary is \$49,950,000. There are 17 teachers that are making more than that.

Mr. Perrow replied that the scale is on 10 month teaching positions. There are some people who are on a 11 or 12 month teaching positions, some 10 ½ month positions. Also if they have a masters degree or a doctorate degree they would make more than the scale. To look at the actual salary an individual receives, you would need to know the month teaching position, the degrees they have, and the length of service, etc. The only way all teachers can move from the lower level salary range is for the local portion to be increased.

The School Board will review the Budget on March 22nd and if adopted, will submit it to the Board of Supervisors.

Mr. Carter asked about Capital Improvement Projects.

Ms. Ferguson stated the need to hire someone to update the CIP since it has been five or six years since this was done. This is been discussed at some of the "chair meetings" and when it is done, it needs to encompass the schools and give the Board something to look at as we start planning for in their Budget.

Mr. Carter commended that the School Board had done a very nice job in presenting this information.

Mr. Waddell stated that the Board of Supervisors does a very good job of working with them and that we must all remember the teachers and students. We are in the student business and we all need to work together.

Mr. Carter asked a question regarding "Immediate Facility Needs". Along with teachers salaries, the cost of some of these needs is sort of scary, such as the smoke detection equipment – a quarter of a million dollars. These really need to be addressed.

Ms. Martin commented that we owe so much to the staff, teachers and all of the school division employees. They certainly help with the success of our students. We are certainly a caring school division. This has been proven time and time again.

Mr. Conrad commented that as a school bus driver, he has noticed that over the last couple of years there has been an improvement in the attitudes in the students on his bus. He does not know if the school system has been looking a discipline more. Wherever this improvement is coming from it should be noted and congratulations given.

Mr. Waddell adjourned the School Board.

At 8:00 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn the Board of Supervisors. VOTE: Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (3 aye votes – 2 absent).


 Samuel E. Carter, Chairman

On Thursday, March 15, 2007 the Appomattox County Board of Supervisors held a Public Comment Session at 7:00 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District (arrived around 7:30 p.m.)

ALSO PRESENT:
 Aileen T. Ferguson – County Administrator
 John G. Overstreet – County Attorney
 Johnnie E. Roark – County Planner

At 6:00 p.m. Mr. Carter called the meeting to order and gave the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter turned the meeting over to the County Attorney, Mr. Overstreet.

Mr. Overstreet had one item that he needed to bring to the Board's attention before the beginning of tonight's informal public hearing on the Land Use taxation. Because there may be some Board members who own sufficient amounts of real estate whereby they would be eligible for this land use taxation if it went into effect, the Code of Virginia requires that they declare that at the meeting where this proposal is being considered. They are not disqualified from voting on it, but they have to make a declaration in public to that effect. While it is particularly to their property, it is also particular to a large group of people's property. They can consider this if they make this declaration. Mr. Moore may be in this situation and Mr. Armbrust may also be in this same situation.

Mr. Overstreet read the DECLARATION pursuant to Sec. 2.2-3112.A.2 and 2.2-3115 G. Code of Virginia.

"I hereby declare that I have a personal interest in the transaction of adopting Land Use taxation in Appomattox County by virtue of my ownership of real estate in the County which may be eligible for Land Use. Therefore, I am a member of a group that may be affected by this transaction.

"I declare that notwithstanding the above, I am able to participate in this transaction fairly, objectively, and in the public interest."

Mr. Armbrust agreed to this declaration orally as well as presenting Ms. Ferguson with a signed document.

Mr. Carter read a statement of the expectations, procedure and guidelines to be followed tonight:

*"This Public Comment Period is being held to receive comments from the citizens of Appomattox County on the subject of "Land Use Assessment". The Board has been pursuing information as much as possible to determine the economical impact this will have on the county if it is put into effect. Everyone is also reminded that if this passes, the loss revenue will have to be recaptured and our tax rate is already heavy. Besides collecting information from other identities, the Board desires to receive feedback through this open channel from citizens who have decided to share one's thoughts. Please remember this is a comment period, not discussion. There will be **NO VOTE** tonight on this subject.*

In order for this comment period to be successful, we will follow the normal procedure and policy that we have in place. The following process will be adhered to by citizens who participate in addressing the Board:

- *Name and Address for the Record*
- *Speakers shall speak on Land Use Assessment Only.*
- *Time frame is 5 minutes maximum and it will be monitored. When 4 minutes has expired, the speaker will be alerted to complete statements with the next minute.*

As always, the Board thanks everyone who has taken the time to come out tonight. If anyone wishes to continue learning about Land Use Assessment in regards to the impact on county business, feel free to call any Board Member or the County Administrator's office."

Mr. Carter then read a letter from Mr. John Dowling into the record:

"To Appomattox Board of Supervisors dated March 12, 2007

I will not be able to attend the planned meeting this week to discuss the Land use program due to being out of the area. If a Land use program is setup properly and good management controls are use to follow the program it will meet the desired goals without causing undue stress on the existing tax structure. When I lived in North Carolina a similar program worked well in the county, providing relief for the land owners/farmers without over stressing the other taxpayers.

From the information that has been published recently it appears that Monty Mays strongly supports the program and has spent considerable time in putting a County plan together. The minimum requirements of land acreage and income from the use of the land are a good start but should the income level be set higher. The reduction of the assessment values for the land to \$700.00/acre appear to be too low and should be left at the current assessment. If the figures that are being published regarding new land values at \$2-2500.00/acre are correct, the reduction to \$700.00 is not warranted. Leaving the present assessment will provide the land owner/farmer a substantial tax savings while causing a minimum burden for the remainder of the taxpayers.

A minimum length of time for participation in the program (five years) before land could be sold should be incorporated as well as penalties. Sale of land prior to meeting the minimum time requirements would result in a penalty equal to the full tax assessment for the period that the land was in the program. I don't know how much latitude the County has in setting up the program but an option might be to give the land owner the ability to include a percentage of the land which would still give them the ability to sell the land not in the program without incurring the penalty.

Thank you for letting me voice some thoughts on the Land use program. I believe that if the Program is properly set-up and follow-up management is used, this program will work to help all taxpayers and along with planning and zoning will help manage County growth.

Sincerely,

John Dowling

P.O. Box 2153

Appomattox, VA 24522"

Mr. Carter stated that the first person on the sign-up sheet was **Mr. Monte Mays, Commissioner of Revenue, Appomattox County:**

Mr. Mays began by thanking the Board for allowing him to speak. He stood by and watched our garment industry go overseas and he also stood back and watched our furniture business go overseas and he is not standing back and watching our farming industry disappear. This is why he notified the farmers on September 27, 2005 at a public hearing about the tremendous increases in land values in Appomattox County.

He did this for one reason – to preserve the farming industry in Appomattox and to promote a land use program that would allow them to continue farming. He has ascertained the following information for your benefit. These are pretty accurate. He spent twenty-five (25) weeks in ascertaining these figures. Land values are predicted to go to \$470,143,989; building values are predicted to go to \$668,785,825. This will give a total assessment, which we have never had before in the history of Appomattox County, of \$1,138,929,814 for land and buildings.

The land use program, at best case scenario would cost the county a .03 cent increase or .47 cents tax rate and the land use at worse case scenario would cost the county .05 cents increase or a .49 cents rate. The average cost he is offering is a 4% increase to the tax rate of .48 cents tax rate which would equalize the amount of revenue he provided the County Administrator for budget purposes. The cost to the county would be \$411,812.00. If we don't preserve the small farms, the cost of food items in the super-market will increase greatly. (milk from \$4 to \$7; steak from \$6 to \$9). The little farmer is what keeps prices in the super market down.

If we don't go to the land use program, we are going to over load the school system. By doing this, we will be forced to build a new primary school, a new elementary school, a new middle school as well as a new high school. This will greatly increase the tax rate. His main goal is preventing these things. He is not against growth, he is for controlled growth. If we let the farmer go by the wayside, which we are well on our way, this is what will happen. This is why 89 localities out of 136 in the State of Virginia have adopted land use program. Buckingham will be adopting this program pretty soon.

If he thought for one minute that this program was unfair to the homeowner or unfair to persons on fixed income, he would not be here. In his thirty-one years as the Commissioner of Revenue, he has always been fair, nobody can say he has ever been unfair. He would not be wasting the Board's time or his own time, if he thought this would hurt those people on fixed incomes. There are already programs to help them: a program to reduce the amount of their real estate taxes.

A 100 acre farm right now is assessed at \$93,500. By the new reassessment figures, it will be around \$215,000 per acre, realizing a 41% increase in the tax bill. This, of course is calculated on the lower scale.

The re-assessment done in 2002 was done incorrectly and too low. It took six (6) years but, it has finally caught up with us.

Dr. Betty Siano, 140 Azelea Lane, Appomattox, VA:

Dr. Siano thanked the Board for the opportunity to speak this evening on a subject that she has been interested in for a long period of time. She will speak tonight on the word "RESPONSIBLE". She presented each Board member with the following:

- R - Represent:** Each Board member represents a district in this county. You also represent every citizen of Appomattox County; not just farmers and not just your district. Your actions affect everyone.
- E - Economy:** How will the enactment of Land Use effect the ECONOMY of Appomattox County? She has seen a vast number of homes constructed in her

area in the past few years and she has not heard any complaints about this at all. All she ever hears is the "poor farmers" – the lower assessment on that man's property can be judged by his "income tax filing" figure for 2006? If he is a "poor farmer" and needs assistance then the application should contain that. But he may be one of those farmers who has a lot of land and works for a very good company – think on it.

- S - Selling Price:** How do we equate a \$700 assessment value for property being sold at \$2,000, \$4,000 or even \$10,000 an acre?
- P - Paid for work:** While she does agree with our senior supervisor that Mr. Mays does an exemplary job in his position as Commissioner of Revenue. She would remind every one of you that this position requires that and nothing less would have been acceptable to any of us. If you take a job and you don't do it to the best of your ability, you are soon gone. She does admire Mr. Mays for thinking about this program for the farmers, for giving us all something to look at and think about, but right from the get-go, it should not be a done deal.
- O - Open Acreage:** As of December 31, 2005, a report from the Commissioner's office listed 53,276.89 acres of open land at an assessed value of \$55,461,243. The assessed value per acre was \$1,041. Using the \$700 assessed value suggested by Mr. Mays, we would have a total assessed value of \$37,293,683 – a LOSS of \$18,167,559 – this would have to be made up somewhere.
- N - Neighbor:** She has always tried to be a good neighbor, BUT, how many of those directly affected by this program have been or are "good neighbors".
- S - Sued:** The Citizens of Appomattox County remember well how the FARMERS WERE GOOD NEIGHBORS. When "we" would not accept the "BIO-SOLIDS" so they could have "FREE" fertilizer, they "SUED" us and received a "Quarter of a Million Dollars". The "GOOD" neighbors left the rest of the citizens to enjoy "Illness", "Allergies" and obnoxious odors.
- I - IF-FY:** Until and unless Mr. Mays or anyone else can tell "YOU" what the ACTUAL COST will be, this is a LESSON IN FUTILITY! How can any member of this Board pass a program without any idea of COST? That is like buying a lottery ticket, it all depends on the numbers whether you win or loose.
- B - Business:** "Farming is a Business"! each of us, as adults, has to earn a living. Whatever your job or occupation is, you work at it – and , if it doesn't pay you enough or provide the results you envisioned, 'YOU CHANGE JOBS'. NO ONE SHOULD DEPEND ON OTHERS TO BEAR YOUR BURDENS! FARMERS ALREADY GET FAR MORE 'BREAKS THAN MOST OF US'.
 1. They get paid to grow some crops.
 2. They get paid not to grow others.
 3. Their farm vehicles are exempt from licenses, yet they can use them within a 30 mile radius.
 4. They are partially responsible for the immigration problem! The immigrants they hire do not pay Social Security tax, Medicare/Medicaid nor many other costs. Their medical bills are paid by "YOU AND I".
 5. Free fertilizer – while the rest of us get sicker and sicker.

- L - Legacy:** What will the legacy of our children and grand-children be, "IF" we continue to get deeper and deeper into the inevitable debt an act like this incurs? They are already burdened with student loans to obtain higher education.
- E - Equity/equality:** How can YOU gentlemen honestly think you are being "responsible" and "representing" all of the citizens of Appomattox, when you consider such a ludicrous program?

The word she has been spelling out for you is "RESPONSIBLE". Please do not act until this has been thoroughly investigated by those who have nothing to gain (personally or financially). It is easier to enact than to re-tract!

Thank you for your time and patience.

At 7:25 p.m. Mr. Moore arrived

At 7:25 p.m. Mr. Carter called for a recess.

At 7:26 p.m. Mr. Carter called the meeting back to order.

Mr. Ray Wingfield, Route 711, Appomattox, VA: Mr. Wingfield quoted some figures on some of the things that are grown on our farms. His question is "How can we with all our calculations, not get any help from the State. He guesses Mr. Mays will have to do it all. It would be nice to get some help from the State. Virginia Land Use is for cattle. What can we do to keep the family farm? That is the purpose of being here tonight. Our county is literally small and we look at our farms not by tax rate but by a death rate. Our family farmers are dying out and there is no one to take their place. Most relatives do not want to be farmers, so the family farm is sold but it is not sold to another average size farmer, it is sold to a large farmer or large land owner. It is he that splits up the farm for development. We do not have to change our existing tax market system to remedy this situation. Why "throw the baby out with the bath water". We can adopt stricter zoning laws, implement higher inspection fees, and add development surcharges to developers. If he doesn't get anything over to you tonight, he hopes you will understand this. A Land Use program would not discourage a family farmer from selling his land. But a Land Use program would encourage a large farmer to buy it. Land Use would create an even greater favorable climate for buying. If this happens he can see a drop in our standard of living and if we will don't do something to curtail the development by the big landowners, we will end up like King & Queen County which is the poorest county in the State of Virginia and their standard of living reflects this.

Joy Purcell, 1867 Narrow Passage Road, Appomattox, VA: As a citizen of Appomattox County and this great land of America, she is here to lend her support to our farmers. Due to the rise in the cost of farming, we have lost many of our family farms, becoming more dependent on foreign agriculture, unaware of the conditions in which they are produced. Farming has been around since the beginning of time. Many time in God's word Jesus used the parable of the farmer – reaping what we sow. He is the vine and we are the branches. Jesus must have considered the farmer very important and we should not take them for granted. They are educated, hard working, and honest people. Please consider keeping the lower tax base for the farmer.

Brian Baine, 9 Lee Grant Avenue, Appomattox, VA: He is a member of the Planning Commission and he wanted to say he was not here in an official capacity, just as a citizen. He owns less than an acre of property. His taxes will increase if this Land Use program is approved. A common theme he hears from people raised here and people like him, that moved here, was that they love the rural and agricultural community and small town living. We still lose farm land if we do or do not pass this program. However, this program will slow down the process. Nothing will stop development. Once farm land is converted to other uses, it never returns to farm land. According to his figures, 75% of the counties in Virginia have this land use program. There will be winners and losers regardless of which way we go. From his point of view, the primary beneficiaries of passing this will be the farmers, if not, the primary beneficiaries will be the developers. We, however, need both.

Earl Pickett, Pamplin, VA: He represents the Appomattox County Farm Bureau. There are a few things he would like to clear up for the general public. Every farmer in the county will pay the same thing for his home and his buildings as everybody else. They will not be exempt. The other thing is, if we do not protect our open land and open spaces, and want to live off tourism, you will not get tourism from a strip mall. We are becoming a bedroom county. He would like to remind everyone that the farmers are still the #1 industry in the whole State of Virginia, including Appomattox. If we do not adjust the farm land for what it produces, you cannot pay for the land. For example, you cannot produce 100 bushels of corn on \$3,000 an acre land. The different kinds of land are based on a different ratio.

Fred Jones, Appomattox, VA: He owns land in both Campbell County and Appomattox County. If we raise taxes to \$3,000 an acre, there will be a lot of farmers who cannot afford to pay these taxes.

Dick Lund, 107 Narrow Passage Road, Spout Spring, VA: He would like to start off with the real winner if we go forward with this, is the citizens of Appomattox County. It will preserve a way of life we have come to know and love. People come to Appomattox, as he did some years ago, because of the rural setting. He does have a farm, but we cannot stop the loss of farms, but we can slow it. It will allow farmers to hold on to their land and continue farming instead of selling it for development. We do not want to become like Bedford County, lots of houses and lots of traffic. He lives on about 100 acres with a very small house. When you figure out what taxes are used for, to provide services and services are on a per capita per person basis. It is not tied to how much land you have, it is tied to the number of people who need the services. Use the road, use the schools, the police and fire departments.

Hugh Ratcliff, Appomattox, VA: He and his wife own 275 acres. It is not farm land, they do not raise cattle, wheat, corn or soybean. They have trees and a lodge on this property. They like to preserve the land for recreation- fishing, hiking, horseback riding and playing in the river. As the reassessment of our property goes up, our ability to retain that land as open space becomes more difficult. The taxes on their house, lodge and other buildings will not change, only the taxes on the land. There are no demands made on services for farm land. There is no evidence that reduced taxes on farm land

will have any substantial impact on the tax base of the area. They buy hay because they have horses. The price of fertilizer and fuel keep going up. Every additional expense makes it tougher for the farmer. Most of the farmers he knows, work at a public job, they farm because they love farming. He is not aware of any subsidiaries that help the farmers. Prices of land will continue to increase, they will not go down. Please vote this in.

Bob McClenney, 4368 Forest Chapel Road, Pamplin, VA: In following the sales of agricultural and forest land and it is obvious that most of the land that is sold is sold to investors and developers, not farmers, he has to agree with Mr. Mays that these rural lands, at the rate they are going up and the assessment will really put a hurting on the rural landowners. Much of the development that is taking place is single-wides, double-wides and small cheap houses that will not have a large tax base and will need a lot more support from the county. He recommends that we adopt the land use program for agricultural/forest land and set the rate where we will have the option to apply for this tax reduction.

Ms. Sarah Carter, Piney Mountain District, Appomattox, VA: She appreciates the opportunity to speak to the Board and her neighbors about the subject. She sure hopes that because she lives in the Piney Mountain District, and her Supervisors is probably not going to be able to vote on this issue, the other Board members will take into consideration the concerns of his constituents. Her family will not benefit from this. She has some strong feeling about this, she has been a professional planner in a high growth locality for the last twelve years. She has worked with this program and has seen what it has done on the ground. According to a recent newspaper article, this will not assist in growth management. This is both true and not true. This will not stop growth in Appomattox County or any other locality. People who want to sell their property will find a buyer and there will be developers who will buy that property and sub-divide it and sell lots. This program will not stop this. However, what you will gain is that those people who want to hold onto their property, who may not be able to do so if they have to pay the increased taxes, will be able to do so. The property next to her is in beef cattle and does not produce a lot of money, plus the owner does not even live there. It does not cost the County anything for this property and they are collecting taxes. She cannot see him keeping these cattle and this 250 acres, once the price of taxes get to the max for him. People who have family land want to keep it, how will they be able to afford it at the rate taxes are increasing. She is very concerned that while this is a growth management issue from the point of view that it will stop growth, that we will force growth to happen as we watch people being forced to sell their land because they cannot afford the taxes year after year, along with the cost of maintaining the land. Once farm land is lost, it is gone forever.

Ms. Kay Bondurant, 4878 River Ridge Road, Appomattox, VA: She does not know if this is the answer to our tax problems. She does understand that the Governor of the State of Virginia is the one who dictates what we can do, as far as taxes are concerned. She wholehearted agrees with Ms. Carter, and the growth in the county. We will have to build schools, and it will come. What we have to do is find a way that is fair in taxing everyone in the County, not just land owners.

Bill McGrath, 272 Gobber Hill Lane, Appomattox, VA: He used to build houses in Appomattox County on 1/2 acre lots. Now, you have to have a minimum of 1 acre lots. He recently moved from King William County where there is tremendous pressure from people coming from Richmond to live in the rural counties. His property was part of a 3,000 acre dairy farm. If his property tax was like that in King William County, he would have been long gone. We, in this county, have building codes that have not been updated from the '70s & '80s and we should have a property tax that would pay to build schools and provide services for the people who move into the County. He feels the building codes should be looked at for potential revenue instead of taxing the farmer.

Bobby Stewart, 3481 Watt Abbitt Road, Appomattox, VA: The only thing he has to say is "we are not poor farmers, we are business men" and we work hard, really hard. As a business man, he has to find the "bottom line".

Roy Woody, 1340 Piney Mountain Road, Appomattox, VA: All the talk about giving a tax break is fine, but after they do this and they decided to sell their property, they should pay the tax as everyone else does plus interest on the money. This is the fair way to do this, as property owners are paying their taxes now. Farmers and large land owners, should not be the only ones getting a break.

Orie Milner, 356 Wagon Wheel Road, Appomattox, VA: His family owned a dairy farm located where the Transcontinental Gas-pipe line is now. What is now the Falling River County Club was also a dairy farm. We used to have 10 to 15 dairy farms in the county, now you will be lucky to find 4 or 5, they are all gone. Tobacco farms in Appomattox County are all gone. You have to have at least 400 - 500 acres of land just to make a living with beef cattle. The Farm Bureau or any other farm agency will tell you that it take 3 acres to sustain 1 cow and 1 calf. Farmers cannot recuperate the cost of expenses upon selling cattle. He bought two farms and cleaned them up and has been told he has one of the prettiest farms in the county, but if his taxes continue to go up at the rate they are now, he will have to sell this farm because he cannot afford to pay \$300 a month taxes on the land with the cattle he has. A lot of people are coming in here from New York and New Jersey and buying land for retirement. They have sold land up north for about five times what they pay for land here. He does not wish to be taxed off his property.

Jim Nolen, 2431 Purdum Mill Road, Appomattox, VA: He has one or two comments. The definition of a farm is ridiculous - five acres and a \$1000. There are a lot of farmers here tonight that couldn't park their equipment of five acres. It is real important to him for the farmers that are farming to get the benefit of this program, not every Tom, Dick, and Harry that has five acres. The other thing is that from many years of appraising, the first thing he looks at is the tax card. Over the years the tax assessment on the land typically has been well under what it will sell for. The tax assessment on houses, if they are relatively new has been pretty accurate. If they are real old, they will sell for a lot more than the assessment. He believes in consolidating.

Ms. Edith McCormick, Spout Spring, VA: She is here as the caretaker of the land that is left in her care. Access to land should not be based on wealth. We should be

able to hold onto our land even if we don't have any money. She wants to take care of the land she has for future generations that come after her.

Jack Wayne Burks, 1495 Horseshoe Road, Appomattox, VA: The thing that has lead us to the Farm Use program is that whoever hires the land assessors has just taken their word for what they came up with and uses this as a blanket and assesses the land at the prices they do. He doesn't think any one present that farms that doesn't lose 1/4 of their farm in unused land. (swamps, gullies, bluffs, etc.) He thinks the land assessors have been wrong for a long time. To get things back into perspective where we can use the Board needs to hold the assessors "feet to the fire" and see that it is done in a fair manner, instead of taking figures off of a book somewhere. A prime example is he got mad one year because he had land that was assessed super high. He went to the courthouse and looked at the books and John Cole's farm next to the high school was assessed at \$1,000 per acre. And his was \$1500 to \$1800 an acre. Some of his land you cannot even drive a truck on. Another incident is a friend of his told him he asked the assessor (the last assessor we had) if he looked at every piece of his land and the answer was "yes sir, I did" to which the landowner replied "I have two acres that we have never been able to find, I would appreciate your showing me where it is".

The farmers are not really going to get a break, it sounds like a break, but whatever you do, in the future you hold the assessor's "feet to the fire" and let them know what you expect them to do.

Ms. Michelle Ashley, Country Estates Road, Appomattox, VA: The land around her has recently been developed. She came here a few years ago because she felt this was a good place to raise her children. She knows what a farmer has to do to make a living. She knows that people come here for other places and to them, land and taxes are really cheap. She is a one income family and it is not cheap. She asks that consideration be given to how to assess the land and fair to everyone in the county.

Ernest Harris, Willow Oaks Road, Appomattox, VA: We do not realize that the land to a farmer ain't worth any more than it will produce. Appomattox averages about 70 bushels an acre of corn. At \$3.00 a bushel, \$210.00 an acre is what that land is worth to the farmer. If it takes 3 acres to support a cow and calf. The calf right now would probably bring about \$500 or \$600 a head. At 3 acres, that piece of land ain't worth \$200. If you go with \$300 an acre, we wouldn't be able to stand the number of folks flocking in here. The only way we can go about this is to give the farmer the tax break on the land. Assess it at its value but give him the land use tax. The land around him has been in his family for 100 years. The land across from him was sold and divided into lots. There are about 75 double-wides and trailers, some stick built houses on it with about 100 people living there. On any given week-end the sheriff's department and the rescue squad goes over there because of hollering and shooting, etc. On Monday morning the school bus goes over there. Look at what this piece of land is costing the County. You can't stop it, but you can slow it down and give us a tax break so we can hold on to our land.

David Stratton, Route 2, Box 27B, Concord, VA: His question to the Board is, "What is going to happen to the landowners in this County, if the land use does not pass?" We have heard all this talk about the majority rules, you have heard the majority

tonight and he wants to know what is going to happen. He wants to know the assessment and the basis. He wants someone on this Board to get up and explain this to everybody.

Mr. Carter reminded Mr. Stratton that at the beginning of the session, it was stated that this is a comments session, not a discussion period. The Board is allowing the citizens to come forward and be heard. Nothing will be discussed tonight.

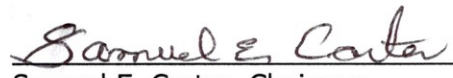
Jack Gowin, 932 Falling Creek Road, Appomattox, VA: He is a beef farmer. He has 40 head of beef cattle and 200 acres and he is trying to keep his farm and leave it to his children. One of his children is very interested in continuing in the beef cattle business. He feels the land use tax will be great for them as he is trying to preserve his farm for this sons. He encourages the Board to adopt the Land Use Tax.

Ms. Darlene Reid, Appomattox, VA: She grew up in this County. Most of these farmers knew her father. We need to look at the assessments. We do not want to see taxes go up but a lot of these farmers, have to work a eight hour job just to keep their farms going. The farmers used to have tobacco as a cash crop, that took the county to where it is today. We need to look at whatever has been said and make sure the farmers are taken care of.

Ms. Joyce Hang, Red House, VA: Over the last ten years that she has lived in Red House the assessments have increased their property values by 66%. Their taxes have go up over the same period of time by 130%. There is something wrong with this. The farmers need to have a break. They cannot keep supporting their cattle on their land, they raise hay on other property that they are lucky enough to have the use of. The farmer really needs a break. The cows do not use the schools, their road is like a washboard, they do not get anything for their taxes. A trip to the dumpster is 27 miles round trip. They cannot afford to go too often and they will not throw it out on the side of the road like other people do. If we are going to pay the taxes like everybody else does, then they should get a little more out of it than what they are getting now. If you keep allowing houses to be built, you will be building schools, because people will come and they will need schools for their children. Their cows do not need a water line, they drill wells for their cattle to have fresh water.

Mr. Carter asked if anyone else wished to speak.

Hearing none, at 8:28 p.m. Mr. Carter closed the Public Comments Session.



Samuel E. Carter, Chairman

On Monday, March 19, 2007, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to give the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter called for the **Setting of the Agenda:**

Ms. Ferguson asked to remove the following:

Public Hearing with Planning Commission.

Item #5: Mutual Aid Agreement with Campbell County

Item #11: Economic Development

Mr. Carter moved to the next item on the agenda: **Citizen Public Comment Period:**

This time is provided by the Board to allow citizens to appear and to discuss issues that are of important or concern to the citizen.

Mr. Carter read the following statement:

During the Citizens Public Comment Period, speakers wishing to address the Board shall clearly state their name and address. Speakers may not speak on the Public Hearing Calendar for that date. No individuals shall be allowed to address the Board for more than three (3) minutes. Individuals who have previously spoken on a subject at a public hearing shall not be allowed to re-address the Board during this Citizen Comment Period.

Ms. Barbara Shelton, Pine street, Appomattox, VA. She lives on a fixed income. She has a copy of the Declaration of Independence, which states that we are all entitled to Life, Liberty and the Pursuit of Happiness. She feels that the Pursuit of Happiness means "quality of life". Most of the people in town are on a fixed income. Before you make any decisions she is hoping you will look more thoroughly into the matter of taxes. The working class should not have to pay the taxes for the farmers.

Mr. Carter moved to the **ADMINISTRATIVE ITEMS:** (Items 1 – 5)

1. **American Legion Post 104 Request:** Mr. Owen, Commander of American Legion Post 104 has requested that the American Legion be allowed to pour a

sidewalk from the sidewalk in front of the old Courthouse that leads to the Street, to the Wall of Honor.

Mr. Craft stated he had talked with Mr. Owen and the main reason for this request is for wheelchair accessibility. He feels this walk way would be an improvement.

Mr. Moore thinks a sidewalk would be a good addition because most people walk across the grass as there is no really good way to get to the Wall of Honor.

Ms. Ferguson stated Mr. Owen came by her office this a.m. with a sketch of what they would like to do and she does not see any problems.

Mr. Moore made a motion, seconded by Mr. Craft, to allow the American Legion Post 104 to pour a sidewalk from the sidewalk in front of the old Courthouse to the Wall of Honor. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Central Virginia Community Services Board:** The Central Virginia Community Services Board is requesting the Board to approve a resolution giving permission for them to enter into an agreement to purchase the Forest Hills Group Home facility. The CVCS is leasing this facility at the present time and feels that they will be money ahead if they purchase instead of leasing.

Staff recommends adopting this resolution.

Mr. Craft sits on this Board and thinks this is a good idea. This has been discussed by the Community Services Board for several years. The owners have finally agreed to sell.

Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following resolution authorizing the Central Virginia Community Services Board to purchase the Forest Hills Group Home facility, which they have leased for several years.

RESOLUTION

WHEREAS, Central Virginia Community Services Board is a governmental entity created pursuant to the provisions of Chapter 5, of Title 37.2 of the Code of Virginia, pursuant to a joint agreement between the Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg, in order to provide those jurisdictions with mental health, mental retardation, and substance abuse services; and

WHEREAS, Section 37.2-504 (11) of the Code of Virginia, 1950, as amended, allows Community Services Boards such as Central Virginia Community Services Board to obtain loans as authorized by the governing bodies of the political subdivision that established it; and

WHEREAS, Central Virginia Community Services board desires to purchase from Lynchburg Covenant Fellowship, Inc. property known locally as 3018 Forest Hills Circle, Lynchburg, Virginia, pursuant to a Real Estate Purchase and Sales Contract dated January 31, 2007; and

WHEREAS, pursuant to said Real Estate Purchase Contract, Central Virginia Community Services Board desires to assume at closing Lynchburg Covenant Fellowship, Inc.'s existing deed of trust loan with VHDA, which loan had an original principal indebtedness of \$469,850.00 and which obligation, as later modified, bears interest payable at the rate of 7.1% per annum and is payable in regular monthly installments of principal and interest in the amount of \$3,318.46, with the last payment due on or about November 1, 2019, and which deed of trust loan will have an estimated principal balance of approximately \$340,000.00 at closing (the "Deed of Trust Obligation").

NOW, THEREFORE, BE IT RESOLVED that Central Virginia Community Services Board is hereby authorized by Appomattox County to assume the Deed of Trust Obligation and to obligate itself to pay the remaining indebtedness owed VHDA on the terms set forth in said Deed of Trust Obligation.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 3. Application for Outdoor Entertainment Event:** Ms. Vicky Hix is requesting approval to hold four (4) rodeo type events at 1115 Holiday Lake Road, Pamplin, VA. These events are scheduled for April 28, June 23, August 25, and October 27, 2007. She is also requesting that the bond be waived. This is the first event of this nature that Ms. Hix has held and we have no way of knowing if any problems will arise.

Staff recommends approving the permit and waiving the bond for these four (4) events.

Mr. Conrad remarked that this property is in a pretty secluded area and he does not think there would be any problems associated with this event. This is private property.

Mr. Craft commented that this property is owned by John & William Hix.

Mr. Carter thinks this is the first event of this kind to be held in Appomattox County.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Outdoor Entertainment permit allowing Ms. Vicky His to hold four (4) rodeo type events at 1115 Holiday Lake Road, Pamplin, VA on April 28, June 23, August 25, and October 27, 2007.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

- 4. Budget Preparation Schedule for FY2008:** A preliminary schedule for meetings to work on the FY 08 budget has been prepared.

We need to adopt the Budget no later than April 23, 2007 in order to keep the due date for taxes June 5th.

Mr. Craft commented that he and Mr. Conrad were scheduled to attend another meeting on March 29th from 3:00 to 5:00 p.m. in Chatham.

Ms. Ferguson stated that it would make for a very long day, but they could attend this meeting in Chatham, and still get back to Appomattox in time for the Budget Work Session.

Ms. Ferguson will write a letter to Mr. Hugh Pendleton explaining the reason that Mr. Craft and Mr. Conrad will not be attending this meeting.

The Board by consensus agreed to adopt the Budget Preparation Schedule as presented. VOTE: Mr. Armbrust, aye; Mr. Conard, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:** (Items 6 – 11)

6. Approval of Minutes: Minutes of Special Informational Meeting on 3/5/2007 and Regular Meeting of 3/5/2007.

7. Approval of Bills: Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

8. Commissioner of Revenue: Please appropriate by consent and supplement \$7,296.00 to 1209-5803 in the Commissioner of Revenue's budget for refunds on taxes paid in error.

9. Sheriff's Department: Please appropriate by consent and supplement \$656.48 to 3102-1002 Regular Overtime in the Sheriff's Budget for reimbursement received from the school for December, 2006.

Please appropriate by consent and supplement \$75.00 to vehicle power equipment supplies in the Sheriff's budget for reimbursement received from the insurance company for repairs to wrecked vehicle.

10. Library: Please appropriate by consent and supplement \$630.10 to the library budget to the following line items:

7301-5401	Office Supplies	\$339.80
7301-5411	Books	188.95
7301-5415	Summer Reading	55.00
7301-5414	Pamplin Depot Library	46.35

These funds came from the sale of stamps, book replacement fees, donations and book sales.

Mr. Conrad made a motion, seconded by Mr. Moore, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:** (Items 12 – 15)

12 Extension Agent: The new Extension Agent, Bruce Jones has already begun work. Mr. Conrad was on the interview panel so he may want to comment on this.

Mr. Conrad stated he was on the interview committee for the Extension Agent position. He feels that Mr. Jones will do an excellent job. The committee agreed unanimously on offering him this position.

13. **Appomattox County Public Schools:** Financial report for February 2007.
14. **Department Reports:** As requested, reports have been received from the various County departments on activities for the past month.
15. **Central Virginia ASAP Annual Report:** Central Virginia Alcohol Safety Action Program has provided their 2006 Annual Report. Mr. Craft serves on this Board and will be happy to answer any questions.

Mr. Conrad commented that they have had a change in leadership at the Central Virginia Alcohol Safety Action Board. Mr. Lee Towns has been running this office for some thirty years. He has recently retired and the Board decided to upgrade Ms. Mary Jo Gillespie to that position. Ms. Gillespie has been with the agency about eighteen years.

Mr. Carter asked **Mr. Harold Wingate and Mr. Don Thomas of Wingate Appraisal Services** to address the Board.

Mr. Wingate has requested time on the agenda to give you an update on the progress of the reassessment and to answer any questions that you may have.

Mr. Wingate began by stating he welcomed the opportunity to work with Appomattox County. He appreciated the cooperation he has received from Ms. Ferguson, Mr. Spencer, and everyone else they have come in contact with in the County.

There have been some computer problems with the transferring of the property records from the manual method to the computer. This will certainly pay off in the future.

Mr. Wingate fielded some questions and answers:

Mr. Craft - How much of the field work have they completed to date?

They have completed about 30% of the field work. It will probably be fall before they release any figures.

Mr. Carter - How much experience have you had with Land Use Assessment issues?

In 1966 they were doing an assessment for Albemarle County and he stood on a farm belonging to a member of the General Assembly at that time. The gentlemen remarked that it didn't make any difference what you do with this farm land because we are going to get a land use bill through the General Assembly and then we will get the tax on farm land where it ought to be (something to that effect).

By 1970-72, the plan was to get the Farm Bureau's to support this issue and he was an active member of the Botetourt Farm Bureau and when it came before them of course, most of them were in favor of this and at the risk of hanging, he told them they ought to go slow until they could learn more about this taxation. They disregarded his suggestions and passed it with 2 votes against. As you know the localities can adopt this or any segments, if they wish to. The thing you need to be aware of is, if you are

not already aware of, they are some things that sound better than they are. You cannot limit this taxation to persons making a living on a farm. You can limit it to those who qualify under whatever segments you specify. You cannot exclude anyone who qualifies, including the big timber companies, the horse farms with the expensive white board fences, and there are some benefits to the agriculture community. He, himself, has some land in a couple of counties that is in land use. The roll back on assessed value does not necessarily change upon the sale of property, only if the property use changes. Of course, if you defer a certain portion of your tax base, you have to make it up someplace else. You will have to increase your tax rate, this moves across the board, including those who are benefiting from the Land Use Ordinance.

Mr. Conrad – Have you noticed in some counties that have adopted Land Use and transferred that tax rate, have you gotten a feel or handle on how much generally a lot of these tax rates have increased as a result of this?

There are a couple of things that work here. One, is that they are deferring approximately 10% to 12% of their tax base. Another thing that comes into play is how much commercial and industrial properties you have to help absorb some of this tax rate.

It also depends on how many applicants you have applying for this deferment .

Another pitfall he has seen is, when you do a re-assessment and you say here is the new base, you don't want to talk about a rate until you know what tax deferments you may have.

Mr. Conrad - Do you think if the counties had the power to tailor this Land Use program based on the dynamics of the county, would there be a lot of changes in this or do you basically stick to the program as it is?

He is not sure, you could certainly try. There are some counties that currently have Land Use that would like to get rid of it. This is difficult too.

Mr. Craft - How often should a locality do a re-assessment?

6 years to too long between re-assessment. The way the market is changing, most rural counties are going to a 4 year period.

Mr. Carter – How often would you recommend a re-assessment be done?

Every 4 years is what he would recommend. The sales market in Appomattox is increasing as out of area buyers are paying more for land than locals are willing to pay. Using a 6 years re-assessment period, you will find that values really go up a lot in this time. Using a 4 years period, values would not be as great. You also have to factor in the cost of the re-assessment.

Mr. Carter thanked Mr. Wingate for coming and for his comments.

Mr. Carter next called for **Supervisor Concerns:** (Item 16)

Mr. Craft gave a short report on the status of the Regional Jail. At their February meeting the Bedford City Council approved our participation in the Regional Jail Authority. There is one more meeting to be held in Richmond later this summer. He and Tom will be finished by then and it will be up to someone in the Administrative office or the Sheriff's Department to attend this meeting.

Mr. Conrad stated he would be out of town for the April 2, 2007 Board meeting.

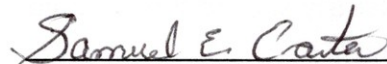
Mr. Carter asked if anyone wanted to try to gain any further data or information on the Land Use Assessment within the next couple of weeks.

Reminder of **UPCOMING MEETINGS:**

Regular Scheduled Meeting
Monday, April 2, 2007
6:30 p.m.
Community Center

Regular Scheduled Meeting
Monday, April 16, 2007
6:30 p.m.
Community Center

At 7:18 p.m. Mr. Craft made a motion seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)


 Samuel E. Carter, Chairman

On Monday, March 26, 2007 the Appomattox County Board of Supervisors held a Budget Work Session at 6:00 p.m. in the old Juvenile and Domestic Relations Court, located on the upper level of the County Administration Building, 175 Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ALSO PRESENT:
 Aileen T. Ferguson – County Administrator

At 6:00 p.m. Mr. Carter called the work session to order and gave the invocation.

Ms. Ferguson began by saying one of the first things to do is to set the revenue. A couple of things have happened over the last year, one, of which, is the fact that the legislature determined to take our "E911 Communication Tax" and some of our other taxes and roll them into one "Communications Tax" and they are collecting that and returning it to us. In doing so, it appears that from the first amount we have gotten back, are going to lose about \$200,000 a year. When we had the auditors come in and look at what we had been bringing in, they showed about \$600,000+. When we actually got in our first return from the State, we received approximately \$38,000. This is also about two (2) months behind in being sent.

Mr. Carter remarked that the overall scheme is the part it plays - when this was first mandated, and we began, these funds were earmarked for Communications Equipment, etc. Now, with this, what kind of roll does this play.

Ms. Ferguson replied that this is not earmarked for anything specific, which is fine. It probably works out better for us, as we do not have to worry about watching this fund and keeping it in a separate fund.

Ms. Ferguson and Ms. Belter have looked at these figures and think some of these estimates are a little high, but she is under an obligation to use these figures. The Mobile Home tax, for instance, we budgeted \$72,000 last year but only bought in \$53,000. This year Monte's estimate is \$71,000. Other than these, there are no major changes or concerns with the revenues, they are pretty much what they have been in the past.

There was some discussion regarding the estimated cost of new construction being down this year, the reassessment and the adjusted tax rate.

Ms. Ferguson asked the Board Members to look at the Revenue figures before the next work session on Thursday.

Ms. Ferguson stated that the State has approved a 4% increase for Constitutional Officers and their staff. We have followed suit and that is what is built into the budget. We have been working with Anthem and there does not appear to be any sufficient increase this year, possibly a 2%. The VRS rates is decreasing a little bit, so employee benefits are looking very good. The increases in most of the budgets are going to be in salaries. Most departments have kept their budget level with last year.

The nature of local government is changing so drastically, that you pretty much have to call in an engineer, consultant or lawyer whenever something has to be done. This will cause some increases in the Professional Services line in the budget.

Discussion, continued on the individual department budgets.

The other major change is in "Legislative Audit", Department 1206 – There has been a major change in audit requirements for local governments and non-profit entities , etc. Basically, you have to do one of two things. You have to hire a Finance person, who is a CPA that basically prepares the audit and then you hire a audit firm to come in an audit what the finance person has already done. In meeting with Robinson, Farmer & Cox last week, Ms. Belter, the School Administration, and Ms. Ferguson have determined for the coming year they are going to try to hire another audit firm to do the audit and then hire another audit firm to come in and review what they have done. This is mandated by Law and there is nothing we can do about this. This Department budget has doubled.

In the Commissioner of Revenue's budget, if Land Use Assessment is enacted, you will need to increase the salaries line as she has not put another employee in this budget. We have been told that Land Use Assessment will take another full time employee to administer the Land Use Program.

Ms. Ferguson explained that the re-assessment, the land cards, etc., in the Commissioner's office are all going computerized.

The Electoral Board has requested to meet with the Board of Supervisors and Ms. Ferguson has scheduled this to take place on April 2nd. They want to talk about the voting machines.

Ms. Belter has talked with Ms. Ferguson regarding the Law Library. These monies have always been kept in a separate account and Ms. Belter has been writing the checks on this account. She has suggested that this account to transferred to the general fund and bills paid the same as other bills. This is the reason for this being in the budget, there are no changes in these monies.

There was some discussion regarding the "Clerk, Circuit Court". The increase in this budget is pass through money.

Court Services Unit – this is a huge increase as every year we put \$50,000 in this budget and end up increasing it, so Ms. Ferguson put more in this year to see what happens. She will discuss this with Judge Dunkum later this week. This is all county monies and we do not get any back from anywhere.

Commonwealth Attorney - They have two (2) new positions funded by the State. These positions have already been filled.

Witness/Advocate Grant – This is the grant for Mary Ann Freshwater's position. If this grant is going to cost us money, we will not re-new it. We have not had anyone in this position for about a year. Ms. Freshwater has informed us that she will be returning to work next Tuesday.

Most of the Grant Monies did not change as these are pass through funds.

Sheriff's Department - The County pays \$1,000 per Sheriff's Department employee, as was determined by the Board several years ago. Their salary increase is not calculated on this money, just what the State provides. The \$15,000 in overtime is all county funded as well as \$3,000 for parades, festivals, etc. The only monies the State funds is salaries/benefits. All other expenditures are funded by the County.

This budget also includes the purchase of 4 new vehicles.

\$49,000 is usually reimbursed by the Town of Appomattox. This is the greater portion of a salary for one deputy. This is usually salary for a newer member of the department, thus the lowest salary range.

The School Resource Officers are entirely funded by the County.

Fire Department - Pamplin Fire Department has not been included in these figures. We need to add \$55,513. If we put \$25,000 into the Fire Department budget for new communication equipment, we need to do an equal amount for the Rescue Squad. According to Mr. Wingfield, most of this is money from the Fire Program. He explained exactly what was involved in the communication system for the Fire Departments.

Office of Building & Housing – Increased by \$17,000 for a new vehicle. The one he has is a 1999 or 2000 model. There was a lot of discussion regarding this. There was some concern over the Building Inspector not having a four wheel drive vehicle.

Animal Control – Their budget was reduced somewhat. Mr. Martin had requested overtime money, Ms. Ferguson removed it. With two (2) wardens, she did not feel the need to work any overtime. If they have to work overtime – they can take it off as compensatory time.

Emergency Services – Ms. Ferguson has increased this slightly. There are some issues that are arising in the next year and she is hoping to avoid hiring another part-time person.

E-911 Services – This budget will remain about the same as is at the present time. There is also a chance that we can reduce this some.

Refuse Collection – increases in salaries and vehicle power equipment supplies (gasoline).

Refuse Disposal – The Hurt & Proffitt study has indicated the need to open a new cell. We are at that point, we are having more analysis done so that we can be confident that this is the right decision.

General Properties – Mr. Watkins left some items out of his budget. We need to add the liability insurance at \$45,000; \$10,000 under water & sewer; \$2,000 for boiler insurance, for a total budget of \$425,472.

Central Va. Community Services – slight increase.

Comprehensive Services - This budget is growing, and growing. They are all mandated and we cannot do anything about these. We are reimbursed for about 70% of this \$550,000. This reimbursement is shown on the revenue side of the budget.

Contributions – we did not put in anything that was not in the budget for last year. We got a lot of requests for donations. After Prom Party \$200 donation needs to be added. Also add \$1,500 for the Railroad Festival; \$1,000 for the American Legion; Trans Dominion Express \$500 and \$1,200 to AWAG.

Debt Service – increases are for renovations to Administration Building, the old Elementary School, and Gas Extraction System. Also if we continue to use the landfill we will need to purchase a new piece of equipment.

Economic Development – increase is a grant. Concerning the Web-Site, we will need to purchase a Domain and some maintenance.

Extension Services – this did not change much, even though they have a new position.

School Board Budget – we have included the entire budget that was submitted at the last meeting. We still do not have the Cafeteria budget in this. This is an increase of \$265,000 of local funds. They will not get their final budget before we have to adopt our budget.

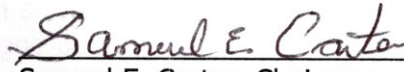
RECAP OF CHANGES TO FY 2008 BUDGET:

Add	\$55,513	to	3202-5605
Decrease	10,400	from	3606-1003
Decrease	20,000	from	3606-7008
Add	10,000	to	4302-5103
Add	2,000	to	4302-5301
Add	45,000	to	4302-5308
Add	1,000	to	7109-5608
Add	1,500	to	7109-5609
Add	\$ 250	to	7109-5614
Add	500	to	7109-5628
Decrease	\$ 800.00	to	7109-5631

We are at the present time \$902,781 short. Ms. Ferguson will review these figures and see where adjustments can be made. If we adopt the Land Use Program, that is another \$40,000+ that has to be added to the Commissioner's budget.

There was some discussion regarding the tax rate and the re-assessment. There are several county school buildings, and other buildings that are in need of repair and the only way to keep taxes down is to have more industry.

At 8:00 p.m. Mr. Moore made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes.)


 Samuel E. Carter, Chairman

On Thursday, March 29, 2007 the Appomattox County Board of Supervisors held a Budget Work session at 6:00 p.m. in the old Juvenile & Domestic Relations Court located on the upper level of the County Administration Building at 175 Morton Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson, County Administrator

At 6:00 p.m. Mr. Carter opened the work session and asked Mr. Craft to give the invocation.

Mr. Carter introduced Ms. Lindsey E. Edwards with the Lynchburg Area Center for Independent Living.

Ms. Edwards passed out some brochures and stated she would like to talk to the Board about the Lynchburg Area Center for Independent Living and let them know what the center does. She hopes that when they are developing budget recommendations they will consider this organization. Originally they were a satellite of Blue Ridge Independent Living Center in Roanoke. The Lynchburg Area Center for Independent Living was formed 1998 and is currently located in Lynchburg at 500 Allegheny Avenue. They provide services to the counties of Appomattox, Amherst, Bedford and Campbell as well as the cities of Lynchburg and Bedford. Their mission is to encourage and support persons with sufficient disabilities in achieving the greatest level of independence.

In Appomattox 3,259 person from 5 – 65 suffer from disabilities

1,456 of these are severely disable

84 use wheelchairs

219 use other assistive aids

1,111 have difficulty walking 3 city blocks

2,122 have difficulty reading a newspaper

2,381 have difficulty carrying on a normal conversation

They also assist those on limited incomes with utility bills and rent. Last year they were able to serve 27 residents.

The main thing they would like to express is that they help those who want to help themselves. They come to their office, they would like to return to work. They want to

be able to still live at home. They are not a residential facility. They offer services. She would request that the Board consider putting them in the budget for 2008.

Mr. Carter thanked Ms. Edwards for coming.

Mr. Carter then called Billy Perrow to discuss the School Budget.

Mr. Perrow stated the staff that is at the top of their salary range will receive a 1% increase in salary.

Mr. Craft asked about the percentage of salary increase for teachers. He understood it was to be 1% and then he read in the newspaper it was a 2%.

Ms. Ferguson asked Mr. Perrow to clarify how their salary range works.

Mr. Perrow explained that each group of employees has a salary scale. They are all developed and followed year after year. All of the scales were developed when they had a salary study done several years ago. Each one receives an increase each year to the next step in the range. This is called a "step raise". Each step is about 2% for non-classified employees; aides – teachers are based on a dollar value between steps.

Mr. Craft is concerned somewhat that teachers receive a 6%. Six percent of \$40,000 is a whole lot more than 2% or 3% on \$15,000, for bus drivers, custodians, or maintenance people. Without these employees, you would not need teachers.

Mr. Perrow stated that the teachers are the most important of these employees because they are responsible for teaching our children. When the salary study was done, the aides were identified as the most under-paid employees and for three (3) years they received a 15% salary increase to bring them up within a balance with the other employees. Since that time, in the last two (2) years, once again their salaries were adjusted because a lot of them were put on a salary whereby they would not lose salary but they were not put on the top level and get a 100% increase. Most of these employees were move up the scale according to years of service.

The aides now have a three (3) step scale, depending on the years of experience.

Mr. Conrad asked if the aides had any type of incentive to further their education and increase their salary.

Mr. Perrow stated there is a "specific" test that an aide can take and if you pass, you qualify for increased pay. It is based on the level of ability. They do not necessarily have to attend any type of school.

Mr. Conrad asked the rate of increase mandated by the State.

Answer was 3% starting in December, which equates to less than 3% starting in September, where most of the teachers begin their new contracts. The State schedule is the most complicated mess you ever have to deal with. The salary incentive that the

State have, is for SOQ (Standards of Quality) positions only. There are a number of employees who do not come under this, but they receive increase as well.

Mr. Perrow said that they are lucky they have employees who want to live here or work here and like the quiet of the community and not have to drive to Lynchburg or further to go to work.

Mr. Carter thanked Mr. Perrow for coming.

Ms. Ferguson stated she had tried to stretch the revenue a little bit and tried to see what she could do with the budget. After making the adjustments discussed on Monday night she has made a bunch of adjustments and ended up adding \$82,857 to the expense, making the total budget \$32,918,230.

She also did some re-evaluating on the revenue, so you can add \$97,800 bringing the total revenue to \$32,142,905.

The reality of all of this is the short fall equals \$775,325. One cent (.01) on the Real estate generates \$69,000. With no reductions anywhere in order to generate this amount of money we would have to increase the tax rate eleven cents (.11).

Ms. Ferguson gave the Board an example of what the tax increase would amount to on an assessed value of \$200,000 and paying \$1,440.00 now at .72 cents per hundred now, then at .83 cents per hundred your taxes would be \$1,660.00 increasing by \$220.00.

There was a lengthy discussion regarding the school budget.

State Money for the School:	\$13,840,568
Federal Money for the School:	\$1,435,222
Private moneys:	<u>\$ 409,800</u>
Total Reimbursement	\$15,685,590

School Budget Presented:	\$21,299,541
Revenue above	<u>\$15,685,590</u>
Difference	\$ 5,613,951

Approximately \$1.2 of this is Debt Service plus the \$265,032 matching monies.

Bare minimum to meet SOL Standards for School Budget would be \$5,348,925 of local money and \$21,034,509 Total.

Mr. Conrad is stated that if we raise the tax rate by .11 cents, we will have everyone on our necks.

Ms. Ferguson stated she had plans to meet with Ms. Belter to see if there was any possible way to take some funds from reserves instead of increasing taxes, if we come out of this year better than we figured.

Our budgets have not increased that drastically, but we have had our revenue reduced by the combining of certain utility taxes.

We are not like Campbell or Bedford Counties with a large tax base. If we were, we would like to have the programs that these counties have, but we just cannot afford these at this time.

This budget is today, with our entire tax base in tact, if Land Use Assessment goes into play, we are going to be making up that money, plus. The re-assessment will raise the assessed value, but we will still be paying the same tax rate.

As of today, she has tweaked everywhere she can without stirring up a "hornet's nest". There is another \$18,000 that could be cut. As she said at the last meeting, we don't usually pay part-time or over-time for the Sheriff's Department that is not covered by the State Compensation Board.

Part-time Salaries in budget:

Monte's Budget - \$20,000

Barbara's Budget \$25,000

Possibly eliminate new vehicle for Sheriff's Department. However, they really need three (3) and we would like to keep him on the proper rotation. We could reduce this by \$12,618.

We need to come to some solution, as we need to advertise the budget prior to holding a public hearing.

There was some discussion regarding the opening of the landfill cell as opposed to going to a regional landfill.

By level funding part-time salaries we can deduct:

- \$ 5,688 from 1209-1003

Possible deductions:

- \$ 12,618 from 3102-7005

- \$265,032 from Schools

Make the following changes:

Add \$273.00 to 1301-1001

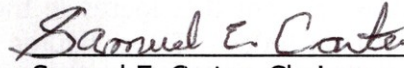
Add 21.00 to 1301-2001

Decrease \$1,000.00 from 3501-7003

Decrease \$1,000.00 from 4204-5415

Public Hearing will be advertised for April 16, 2007 with no more than a five (5) cents tax increase.

At 8:00 p.m. Mr. Conrad made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)


 Samuel E. Carter, Chairman

On Monday, April 2, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 P.M., at the Appomattox Community Center located on Community Lane, Appomattox, VA. 24522

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
 Shawn A. Armbrust – Wreck Island District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT:

Thomas H. Conrad – Falling River District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 John G. Overstreet – County Attorney
 John K. Spencer, Jr. – Assistant County Administrator
 Johnnie Roark – County Planner
 Barry Watkins – Facilities Supervisor

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Armbrust to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter next called for **SETTING OF THE AGENDA:**

There were no additions or deletions to the agenda.

Ms. Ferguson stated that since Mr. Conrad was not present, the variance request for Emmitt and Deborah Knight may be removed from the agenda since this property is located in his district.

The next item on the agenda was: **CITIZEN'S PUBLIC COMMENTS:**

No one present wished to speak at this time.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Items 1-4)

1. **Resolution to Adopt VDOT's Six Year Plan:** As you are aware, the public hearing has been held and comments have been received on the proposed six-year transportation plan for Appomattox County. VDOT is now requesting that

the Board adopt the enclosed resolution adopting the Six-Year Transportation Plan.

Ms. Ferguson explained that the figures in the board book are new figures that were provided by Mr. Austin today. These figures are subject to change after the General Assembly re-convenes.

Mr. Moore made a motion, seconded by Mr. Craft, to adopt the following Resolution:

RESOLUTION

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, the Appomattox County Board of Supervisors had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2007/08 through 2012/13) as well as the Construction Priority List (2007/08) on February 6, 2007 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Don Austin, Resident Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2007/08 through 2012/13) and the Construction Priority List (2007/08) for Appomattox County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Appomattox County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2007/08 through 2012/13) and Construction Priority List (2007/08) are hereby approved as presented at the public hearing.

VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent).

2. **Rockbridge County Request for Resolution:** The Rockbridge County Board of Supervisors is requesting that you adopt a resolution calling for the Governor and the General Assembly to increase the fuel tax on gasoline and diesel fuel by ten cents per gallon. The Rockbridge Board believes that this is necessary to begin addressing the severe transportation problems that exist in the Commonwealth of Virginia.

Mr. Craft made the statement that there was some rumors to the effect that Rockbridge County wanted this gas tax increase because they were concerned that Interstate 81 may become a toll road and they would hope to avoid this.

Mr. Carter stated that when he read this, he almost "flipped his wig". He feels there are other avenues that could be approached in dealing with this transportation problem.

From what he reads in the news media, this is more centrally located in Northern Virginia and the Eastern Shore than in Central Virginia. We do have our problems, but not to the extent these areas have.

Other Board members felt this was a bad time to request such a rise in gasoline taxes.

Mr. Armbrust made a motion, seconded by Mr. Craft, to not adopt the resolution with Rockbridge County requesting an increase of ten (10) cents in the gasoline tax. VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

3. **Permit Application for Entertainment Festival:** The Stonewall Antique Power Association is requesting an outdoor entertainment permit to hold their annual event on May 19 and May 20, 2007 and that the bond be waived.

Mr. Armbrust stated we have been approving this permit application every year since he has been on the board and this is a very good festival and no problems have been reported thus far.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the Permit Application for Entertainment Festival by the Stonewall Antique Power Association to hold an outdoor event on May 19 and May 20, 2007 and that the bond fee be waived. VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

4. **Local Government Council Regional Meeting:** Each board member has received a notice regarding the Regional Meeting of the Local Government Council to be held on April 19th, at the Spring House Restaurant.

Ms. Ferguson will need to know how many members will be attending prior to April 11, 2007.

Mr. Craft and Ms. Ferguson will be attending. Mr. Carter may attend if possible.

Mr. Carter next called for action on the **CONSENT AGENDA:** (Items 5-8)

5. **Approval of Minutes:** Please approve minutes of Joint Meeting with School Board on March 12, 2007; Public Comments Session of March 15, 2007; and Board Meeting on March 19, 2007.

6. **Approval of Bills:** Please approve bills for payment as presented.

FUND APPROVALS:

7. **Law Library Fund:** Please appropriate by consent and approve the payment of \$69.95 from the Law Library Fund to pay for Internet Security.

SUPPLEMENTAL APPROPRIATIONS:

8. **Sheriff's Department:** Please appropriate by consent and supplement \$312.69 to 3102-1002 Regular Overtime in the Sheriff's budget for reimbursement received for officer working security at the Middle School.

Please appropriate by consent and supplement \$189.90 to 3102-1002 Part-time Salaries and \$15.66 to 3102-2001 FICA in the Sheriff's Budget for reimbursement received from the Federal Government.

Mr. Armbrust made a motion, seconded by Mr. Moore, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 ayes – 1 absent)

Mr. Carter then presented the **INFORMATIONAL ITEMS:** (Items 9 & 10)

9. **Animal Pound Inspection:** We have received the report on the latest inspection by the State for the Animal Pound.

Ms. Ferguson stated that Josh Hackett has just completed his two (2) week training period and is officially qualified.

10. **Robert E. Lee Soil & Water Conservation District:** Minutes of Board of Directors meeting of the Robert E. Lee Soil & Water Conservation District held on February 22, 2007.

Mr. Carter then called for **SUPERVISOR CONCERNS:**

Mr. Armbrust: Announced that Clayton Bryant is scheduled to have a horse show this weekend. There are approximately 150 participants.

Mr. Carter: He received a telephone call over the weekend from one of his constituents inquiring about the moving of the Museum of the Confederacy from Richmond to Appomattox. This person has also written to Virgil Goode and asked for his support of this move. Mr. Goode would be glad to do this if he has a resolution from the Town or County but presently he does not.

Mr. Spencer gave a report on the latest meeting of this committee. Basically, from what he can understand the Museum of the Confederacy has issued a request or proposal from any interested locality. There has been a proposal submitted from the community and it is something of a wait and see attitude to see how many requests/proposals they received. They will have to determine who meets the criteria and who does not. Then they will select which ones they will make a personal visit to. The group working on this request has made contact with the Board members of the Museum and has seemingly done a lot of the right things but not all, and has submitted a proposal.

Ms. Ferguson will write a letter to Congressman Virgil Goode, asking him to support our efforts to relocate this Museum to Appomattox.

Mr. Carter called for a brief recess.

Mr. Carter re-convened the meeting and asked **Mr. Fred Underwood, Mr. Joe Foxwell, and Mr. Sonny Conner of the Electoral Board and Ms. Sabrina Smith, Registrar** to address the Board:

The Electoral Board is here to discuss the action of the General Assembly in regards to new voting machines that were purchased this last year.

Mr. Overstreet asked voters do we have per machine? About 500.

The Electoral Board had also written letters to the Governor, Watkins Abbitt and Frank Ruff concerning this issue.

Mr. Underwood stated that some legislators feel that our present voting machines (Direct Recording Electronic) need to be replaced because they do not have a Voter Verifiable paper trail created by the machines. They also have a problem with our machines talking to each other first thing in the morning and the last time in the evening after the polls are closed. Also our machines are essentially special purpose person computers, they can be "hacked" and the results altered. Currently many of the people in the General Assembly would really need to have a piece of paper to go back to and pick up the count instead of depending on the word electronics to count for us.

The bills passed by the General Assembly state that as of July 2007 you can no longer buy this machine. When replacing a machine it has to be something that has a Voter Verifying paper trail. This bill also states that if you have these machine and they are still working, you do not have to replace them until they are no longer operable. Since these machines are still under warranty, just as soon as we find out about a primary this year, we plan to renew this warranty for another year. We intend to renew the warranty on our present machines until such time as we do not have enough to conduct our elections. At that time, we would have to scrap the entire system and start out with something new.

Mr. Foxwell stated this the third year we have used these machines. The Federal Government spent billions of dollars to cover the whole United States and we had to replace all of our machines, as the older ones were no longer acceptable. The machine we purchased was a very popular machine. Many localities in Virginia have the same type machines.

Mr. Carter asked if the new machines purchased three years ago were paid for with local funds or federal funds. The reply was with Federal Funds.

After some discussion Mr. Carter asked what the Board of Supervisors could do to assist the Electoral Board with this matter.

Mr. Underwood stated that other than the General Assembly next year reversing this decision, there is not much that can be done.

Ms. Ferguson stated that at the time the Electoral Board was notified of this change, she wrote Delegate Abbitt and Senator Ruff echoing the comments made by the Electoral

Board. She received the same curt answers that basically stated this was over and done with. The machines we had purchased were not basically safe or secure. She does not feel there is anything we can do at this point, other than to lobby next year in hopes of getting this decision reversed.

Ms. Smith passed out a handout containing the information presented by the Electoral Board.

PROBLEM:

The General Assembly passed a bill (actually two bills) which if it stands will ultimately saddle the county with a \$100,000.00 bill. Our objective is to minimize the ultimate cost and defer it as long as possible. We want to let you know how we intend to do that.

Someone with an unknown agenda ram-rodged these bills through the General Assembly. They passed by large margins. In essence they forbid the local jurisdictions from buying replacements (in kind) for our current voting machines. These machines have two properties that are considered unacceptable by the group with the agenda. First, there is no voter verifiable paper trail with this machine and the machines talk to each other during election using a broad band wireless network. They could have forbid further use of these machines, but then they would have to find the replacement machines. To solve this problem the localities are authorized to continue using the machines until there are no longer enough of them to conduct an election. Then different machines will have to be purchased.

STATUS:

The County owns 34 of these machines, which are still under manufacturers warranty. We use 25 at each election so we have nine spares. We like these machines, and as far as I know they have been readily accepted by the voters. As for the Voter Verifiable paper trail, these machines are better than the old lever machines. The wireless network is also a non issue. To minimize the cost to the county the Electoral Board intends to use these machines until they die.

PLAN:

Maintain the warrantee in force for the current machines. (We have had two fixed under warrantee so far.) The current cost to have all of the machines under warrantee for a year is in the neighborhood of \$3,500.00 per year. We can fix them, but we can't replace them. When we get to the point where the machines are no longer repairable (10-20 years) we will abandon this system and buy a complete new system. (Operating two different voting systems in the same election is an invitation to errors).

Mr. Carter thanked Ms. Smith and the Electoral Board for coming to the meeting and explaining the recent changes made by the General Assembly.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

Monday, April 16, 2007
Public Hearing on Proposed FY08 Budget @ 6:00 p.m.
Regular Scheduled Meeting @ 6:30 p.m.
Community Center

Thursday, April 19, 2007
Region 200 Regional Dinner @ 6:00 p.m.
Spring House Restaurant

Monday, April 23, 2007
Adopt FY2008 Budget @6:00 p.m.
Community Center

Monday, May 7, 2007
Regular Scheduled Meeting @6:30 p.m.
Community Center

At 7:15 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye, Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes- 1 absent).


 Samuel E. Carter, Chairman

On April 16, 2007 the Appomattox County Board of Supervisors held a Public Hearing on the FY2008 Budget at 6:00 p.m. at the Appomattox Community Center located on Community Lane, Appomattox, VA.

PRESENT:

Shawn A. Armbrust – Wreck Island District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District (arrived at 6:15 p.m.)

ABSENT:

Samuel E. Carter, Chairman – Courthouse District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 John G. Overstreet – County Attorney
 John K. Spencer, Jr. – Assistant County Administrator
 Johnnie Roark – County Planner

At 6:05 p.m. Mr. Craft, Vice-Chairman opened the Public Hearing and stated the purpose of the Public Hearing was to receive comments on the Proposed FY2008 Budget. Mr. Craft stated that those wishing to speak would be allowed five (5) minutes each. Each speaker will address the Board, not individual members of the Board

Ms. Ferguson stated that the Budget Synopsis had been advertised and the budget total is \$33,570,816.00. The proposed tax rate for 2007 is seventy-seven cents (.77) per \$100 on Real Estate, \$4.60 on Personal Property and \$1.00 per \$100 Merchants Capital. There is no increase in the Personal Property or Merchants Capital rate. There is a .05 cent per \$100 increase proposed on Real Estate.

Mr. Craft asked that each speaker approach the microphone and state their name and address for the record.

Dianne Miller, 294 Bible Baptist Road, Appomattox, VA. — Ms. Miller stated she was representing AWAG. She would like to thank the Board for what you have done for the animal care area. She would like to thank the Board for adding the additional animal control officer. She also thanked the Board for changing the dog licensing fees and for increasing the fee for unsterilized animals. She would also like for the Board to consider additional staffing at the pound so it can be open more hours and available for the public.

AWAG has applied for a grant from the State. These funds would come from the Income Tax Checkoff. This will be used to offer financial assistance to persons adopting animals from the shelter for spay and neuter. There is also a new clinic which opened in December in the vicinity of Evington. They are also working on a program to trap and neuter the feral cats that are around the dumpsters. Ms. Miller also gave a brief report of AWAG's recent activities.

Wendy Richardson, 314 Richardson Ridge Lane, Pamplin, VA. — Ms. Richardson is here tonight representing the Appomattox County Educational Association. Dr. Krug has done the Appomattox County Educational Association the biggest favor possible by using some of the data that they used in their budget presentation to the School Board.

In light of the disclosure that Wal-Mart would be locating in Appomattox, their presence will most certainly increase the tax base in our county and will also most likely increase the number of school children attending our schools. In light of this, there is little legitimacy in following through with the lack of funding necessary to maintain and improve the quality of education. We will not be able to attract and keep the quality of educators necessary to provide the very best for our children if we keep under funding our education system. We want Appomattox to be the place our children will want their children to live. We want you to do the right thing for public education for the future of our county. Our children are the future of Appomattox County and schools are the only way we have a future. Please do the right thing and support the School Boards proposed budget.

Raymond Lawson, 583 Walton Drive, Appomattox, VA. — Mr. Lawson has three (3) children in the Appomattox County school system along with several other relatives. He would like for them to have the best education possible. Over the past few years he has seen a great turnaround with the personnel and understands there will be even more next year. Teachers are not leaving because they want to, but because they are being neglected by this county. They can go in any direction from here and make more money. Our new teachers may get paid about the same as other counties, but over the

years, Appomattox has not kept up. We need to keep our teachers here. Experience is one of the most important assets of a teacher. You, as Board Members, may not have a child in the school system now but some of you have in the past. Mr. Lawson addressed Mr. Armbrust and commented that he was once a teacher. Think of your grandchildren, you neighbors children, our children need a good education. These children are the ones we are going to have to count on to run and work our businesses one day. They are the ones that will replace you one day. They need a good start. He asks the Board to consider what the most important thing is to this county. A good education is the most important thing and that begins with our teachers.

Bobby Waddell, 674 Woodland Road, Appomattox, VA – When the budget was proposed and put together for the school system the School Board adopted that budget. At the School Board meeting back in March they re-arranged several areas where additional money could be used. Mr. Waddell touched briefly on several of these areas. He hopes the Board will consider using carry-over money and any money left at the end of the year. They did not mention any capital improvement in this budget. We have to do what we have to do. They appreciate the Board's support and hope you will consider funding this budget.

Richard Wilson, 514 Gum Branch Road, Appomattox, Va – Mr. Wilson wanted to discuss the tax rate. A lot of our residents are senior citizens and live on a limited income. He would also like to commend John Wilson for getting Wal-Mart here. This will provide more jobs and opportunities. Education is great. He had two (2) sons graduate from Appomattox County schools, but the sad part of is that they had to move out of State to find work. He would like to see some more jobs in the county. We need to grow, but we do not need to have a raise in our taxes. We need to think about our senior citizens. People will soon have to sell out and move just to pay their taxes.

Mr. Craft called for other comments.

Hearing none, Mr. Craft, Vice-Chairman closed the public hearing at 6:20 p.m..


William H. Craft, Vice Chairman

On Monday, April 16, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox Community Center located on Community Lane, Appomattox, Va.

PRESENT:

Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT:

Samuel E. Carter, Chairman – Courthouse District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator

John G. Overstreet – County Attorney

John K. Spencer, Jr. – Assistant County Administrator

Johnnie Roark – County Planner

At 6:30 Mr. Craft called the meeting to order and asked Mr. Conrad to give the invocation followed by the Pledge of Allegiance to the American Flag.

Mr. Craft called for the first item on the agenda: **SETTING OF THE AGENDA:**

Ms. Ferguson stated there were several items to be added to the agenda:

INFORMATIONAL ITEMS: Monthly Report – Economic Development

SUPPLEMENTAL APPROPRIATION: Sheriff's Department Asset Forfeiture Account

ADMINISTRATIVE ITEMS: CVCC Phase 2 Design Proposal

Next Mr. Craft called for **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There were no comments at this time.

Emmitt and Deborah Knight: This matter has been held over from the April 2, 2007 meeting in order that Mr. Conrad could be present since the property is located in his district. Mr. and Mrs. Knight will meet with the Board to answer any questions you may have concerning their request. Mr. & Mrs. Knight are requesting to give their daughter a 2 acre tract for the purpose of building a house. However, this tract does not have any road frontage.

Mr. Conrad asked if Mr. or Mrs. Knight had anything they wished to say.

Mrs. Knight asked what alternative was available to them.

Mr. Conrad stated that from the enclosures presented we are talking about a 25 acre tract and you know the regulations governing that. Also, we are looking at a 50 acre tract which you are indicating to us is not relevant to anything else.

Ms. Knight talked about the stipulation that allows parents to give their children property and that it should be done.

Mr. Conrad stated that the zoning regulations were set up to certainly help the county to control growth, etc., His only concern is that when you adopt regulations he can see a problem in that when we change these regulations that everyone else will expect the same thing. The Board can grant waivers.

Mr. Roark stated that most of the surrounding counties at some point had to exempt lots. Over the last 10 to 15 years all of the surrounding counties have gotten rid of that provision with the exception of Bedford County which has 20 acre exemption rule. This is one of the things that we may want to look at and see about changing and line ourselves up with the surrounding counties.

Mary Beth Knight stated she is presently living in her grandmother's house. She is employed by the DMV on an hourly basis, with no benefits. It would really be very nice to have a house that she can call her own and her son could have his own room. She does completely understand where the Board is coming from but she is doing the best she can with what she has. Her family really needs to have a home of their own.

Mr. Moore stated he did not understand why something like this has to come under the Subdivision Ordinance. This is one person, a member of a family, and if his daughter wanted to build a house on the backside of his property and wanted to use the road that is there now, why should he not be able to do this – it is not a sub-division. He does not see this as a sub-division.

Mr. Armbrust thinks we need to look at the Sub-division Ordinance and what we do for one, we do for all. He likes the 20 acre exemption that some of the other counties have adopted.

Mr. Knight stated it was not like they were making any money of this transfer. The deed would have a restriction clause to the effect that this lot cannot be sold outside of the family.

Mr. Conrad says – let's change the acreage requirement.

Mr. Conrad made a motion, seconded by Mr. Moore, to grant the waiver for the acreage requirement allowing Emmitt and Deborah Knight to transfer a two-acre lot from a 25 acre plat to their daughter for the purpose of building a house. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye. (4 aye votes – 1 absent)

APPEARANCES:

At 7:15 p.m. Mr. Craft called Mr. Gary Christie to address the Board.

Gary Christie, Executive Director for Region 2000 Local Government Council:

Mr. Christie has requested a time on the agenda to discuss the region participating in a grant program through DEQ. Each locality will have to agree to participate.

Mr. Christie invited everyone to join them on Thursday night, April 19, at Spring House Restaurant for the annual meeting of the Local Government Council.

Mr. Christie stated that there are 12 jurisdictions working together on a Water Supply Planning Project. In 2006 they applied for a grant from the Department of Environmental Quality and received a little grant that helped them to plan the process of how they wanted to go about the water planning for the 12 jurisdictions that they

service. They would like to apply for those funds again this year and they are asking the localities to adopt a Resolution of Support to apply for this grant funding. The grant is in the amount of \$31,500.00. There is also \$20,000.00 in matching local funds with Appomattox County's part being \$1,067.00 with the total project of \$380,000.00.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad, to Adopt the following resolution:

A Resolution authorizing the participation in a regional grant application for Water Supply Planning Funds from the Virginia Department of Environmental Quality

WHEREAS, the Virginia General Assembly has mandated the development of source water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process, and

WHEREAS, based upon these regulations, Appomattox County is required to complete a water supply plan that fulfills these regulations by November 2, 2010, and

WHEREAS, all local or regional water supply program must include a variety of elements including:

- An assessment of projected water demand in accordance with the requirements of 9 VAC 25-780-100
- A description of water management actions in accordance with the requirements of 9 VAC 25-800-110 and 9 VAC 780-120, and

WHEREAS, the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans, and

WHEREAS, Appomattox County has recently participated in regional water supply planning with Region 2000 and neighboring jurisdictions and service authorities, and

WHEREAS, the region, through the Virginia's Region 2000 Local Government Council, desires to secure DEQ grant funds to help offset a portion of the cost of the plan's development and the Virginia's Region 2000 Local Government Council has offered to coordinate the grant process.

NOW THEREFORE BE IT RESOLVED that the Virginia's Region 2000 Local Government Council is authorized to develop an application for source water planning grant funds to offset to the extent feasible the cost of developing said regional water supply plan, and

BE IT FURTHER RESOLVED that the Virginia's Region 2000 Local Government Council Executive Director is authorized to sign the DEQ grant contract and other appropriate documents related to the regional source water planning grant, and

BE IT FINALLY RESOLVED that County of Appomattox intends to provide up to \$1,067 in matching funds for the project for work performed to meet the requirements of the regional water supply planning effort.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye. (4 aye votes – 1 absent)

Mr. Craft next called for the **ADMINISTRATIVE ITEMS:** (Items 1 & 2)

1. **Removal of Trees at Jamerson Memorial Library:** The County Administrator has been approached by Bonnie Tillotson concerning permission to remove the evergreen trees located in front of the Library. Bonnie has contacted

the Town and David Garrett has agreed to assist them in removal of the trees. Ms. Ferguson has asked for a written request detailing what they propose and explained that she would make the request to the Board for permission for them to proceed. Ms. Ferguson has also spoken with Barry Morris, Librarian, and he stated that the Library Board is in favor of removing the trees in order to provide a view of the Library from the street.

Mr. Craft stated he felt the trees are too large for the building and tend to block the view of the Library.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to grant permission for the removal of the evergreen trees located in front of the Library. They would like to see some type of foliage be planted after these evergreens are removed. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye. (4 aye votes- 1 absent)

2. **Appomattox Baptist Association:** Rev. Mitchell Luckie, Director of the Appomattox Baptist Association is requesting that you waive building permit fees for numerous projects that a group of young people will undertake this summer for missions.

Staff recommends approving the request. This does not mean that building permits will not be issued nor does it mean that inspections will not be made.

Mr. Overstreet, County Attorney, stated that he hated to be the bearer of "bad news", but he is under the opinion that the Code of Virginia sets out organizations to which the Board can make gifts. This is paramount to a "gift". They have to be non-secretarian. Therefore, the Board does not have the authority to grant this waiver of building permit fees for the Appomattox Baptist Association.

2A. **CVCC Phase 2 Design Proposal**

There was no discussion on this issue.

Mr. Craft next called for action on the **CONSENT AGENDA:** (Items 3 – 6)

3. Approval of minutes for Budget Work Session on March 26, 2007; Budget Work Session on March 29, 2007 and Regular meeting on April 2, 2007.

SUPPLEMENTAL APPROPRIATIONS:

4. **Reassessment:** Please appropriate by consent and supplement \$101.88 to 1210-5203 in the Reassessment budget for overpayment of telephone bills.
5. **Treasurer:** Please appropriate by consent and supplement \$8,420.00 to 1213-3010 in the Treasurer's budget for DMV fees collected. These are pass through fund.
6. **Library:** Please appropriate by consent and supplement \$848.82 to Library budget to the following items:

7301-5401	Office Supplies	\$411.69
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7301-5411	Books	197.38
7301-5415	Summer Reading	150.00
7301-5414	Pamplin Depot Library	89.75

These funds came from the sale of stamps, book replacement fees, donations and book sales.

- 6A. Sheriff's Department Asset Forfeiture Account:** Please appropriate by consent \$395.00 in the Sheriff's Department budget to pay for sending a deputy to Central Virginia Criminal Justice Academy.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the **CONSENT AGENDA** as submitted with corrections to Minutes as noted. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye. (4 aye votes – 1 absent)

Mr. Craft next presented the **INFORMATIONAL ITEMS:** (Items 7-10)

- 7. Appomattox County Public Schools:** Please find enclosed for your information the financial report for March, 2007.
- 8. Department Reports:** Reports from various County departments on their activities for the past month.
- 8A. Department Report from Economic Development:** Mr. Spencer has submitted information on various projects for the month of March, 2007.
- 9. Appomattox County Forestry Report:** Information provided by Rick Butler, Forester for Appomattox County.

The Planning Commission joined the meeting at this point:

PRESENT – PLANNING COMMISSION:

George Almond – Chairman
 Kevin O'Brien
 Steve Conner
 Brian Baines
 Susan Hudson
 Marvin Mitchell
 Calvin Tanner

Mr. Craft called Bill Cashman to address the Board.

Bill Cashman, Project Manager for URS Corporation: Mr. Cashman will meet with the Board to give a brief overview of the Route 460 Corridor Study and discuss some of the land use determinations and access management principles being discussed in the draft study.

Mr. Roark stated that last year about this time, we were successful in obtaining a Rural Transportation Planning Grant for FY07 to conduct a planning study of the Route 460 corridor from the west Town limits to the Campbell County line, a key stretch of highway approximately 7.5 miles in length. The County envisions this corridor as being one of the focal points of development in the county over the next 20 years.

Mr. Cashman discussed the agenda of the study purpose and will summarize briefly the existing and forecasting conditions, particularly focusing on the Access Management Program.

The purpose is to provide for long term recommendations for physical improvements as well as planning framework for guiding the development in the corridor. This study was provided for Appomattox County with cooperation from VDOT and Region 2000 Local Government Council.

They have conducted traffic counts and adjusted these counts. They have also looked at the crash records and identified where commercial zoned properties are located along the corridor. They look at three things: Population growth, travel patterns, and what has happened previously with traffic volumes.

POPULATION GROWTH: While the county grew by 11% from the 1990 census to 2000. The growth rate has been slowing. The forecasted population annual growth rate is about 28% through 2030.

TRAVEL PATTERNS: This is seven year old data but it is the best data we have. The residents of Appomattox County in 1990 to 2000 who worked in the county, actually declined by 500. On the other hand, the number of residents of the county who worked in Lynchburg increased by 862. This represents an increase of more than the total number of residents working in the County itself. This indicates Appomattox County is becoming more of a "bedroom community" because the job opportunities are not available.

TRAVEL VOLUMES: VDOT counts seem to jump around a lot. Look back at the 80's and 90's and then look at the counts in 2000. You can see that the counts are not growing at that fast a pace. There were some that jumped up and then seemed to come back down. VDOT counts are estimates often and not actual counts. We are increasing traffic at the rate of 23 to 24% a year. The population growth will continue at a moderate pace and travel volumes will increase because of commuter orientation. The baseline counts will increase about 8%. With the pending coming of a Wal-Mart, an additional forecast has been added.

There are still quite a few intersections that do not have turn lanes and these are being recommended. Also, they suggest that the County implement an access management program along this corridor. At this point, with the funding for road improvements, there is no proposed widening of Route 460. According to VDOT regulations commercial driveway access can be every 80 feet one from another and 50 feet from a major intersection.

Mr. Cashman discussed the Commercial Corridor Overlay District and gave a brief summary of his presentation. The existing forecast is that the conditions are adequate capacity for a rural primary highway and graduates are not excessive. Increasing jobs in Lynchburg and commercial zoning along the corridor are pressures that would cause concern for safety and continuing speed. Their recommendation is to install turn lanes

at all major intersections, and to include access management programs according to the Comprehensive Plan and Zoning Ordinances.

A public hearing is scheduled for May 21 and they are looking for Board action June 4 and a final report will be done on June 15th.

After some discussion, Mr. Craft thanked Mr. Cashman for his presentation.

Mr. Craft next called for:

10. Supervisor Concerns:

There were no Supervisor Concerns at this time.

Mr. Craft reminded everyone of the **UPCOMING MEETINGS:**

Local Government Council Regional Dinner

April 19, 2007

6:00 p.m.

Spring House Restaurant

Regular Scheduled Meeting

Monday, May 7, 2007

6:30 p.m.

Community Center

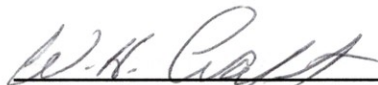
Regular Scheduled Meeting

Monday, May 21, 2007

6:30 p.m.

Community Center

At 7:20 P.m. Mr. Armbrust made a motion, seconded by Mr. Conrad to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye. (4 aye votes – 1 absent)



William H. Craft – Vice-Chairman

On Monday, April 23, 2007, the Appomattox County Board of Supervisors held a Budget Meeting at 6:00 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
John K. Spencer, Jr. – Assistant County Administrator

At 6:00 p.m. Mr. Carter called the meeting to order and gave the invocation.

Mr. Carter stated that tonight we are here to: 1) set the tax rate and 2) adopt the operating budget for FY2008.

Mr. Carter stated that the Board had determined the tax rate for FY2008 and they have come up with a five cents (.05) increase in Real Estate from seventy-two cents (.72) to seventy-seven cents (.77) per \$100.00 assessed value in order to meet the operating budget for FY2008.

Mr. Carter called for discussion. In order for the County to continue to furnish all of the services necessary for running of the departments, and what the County has to provide and does provide their citizens, we do not have a choice.

Ms. Ferguson stated that there were a few comments made at the Budget Public Hearing held on April 16, 2007 from some school personnel, a few from citizens requesting that the School's be fully funded and one citizen who did not want taxes raised.

Mr. Craft was disappointed that we had to raise the tax rate.

Mr. Craft made a motion, seconded by Mr. Armbrust, to set the FY2008 tax rate at seventy-seven cents (.77) per \$100.00 assessed value on real estate. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter presented the Operating Budget for FY2008 in the amount of \$33,570,816.00.

Ms. Ferguson stated she did not put anything for the Victim/Witness Advocate Program in the upcoming Budget. Ms. Freshwater has returned to work on a part-time basis and there are no County funds included for this program. This is actually a wash account – what comes in/goes out. She anticipates adding this figure to the budget unless you instruct her different. Also, the figure for Social Services is the worst case scenario and

will be adjusted when their budget is submitted in May. We would then need to amend the budget.

Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the FY2008 budget in the amount of \$33,570,816.00.

NOTICE OF PUBLIC HEARING
COUNTY OF APPOMATTOX

Condensed Synopsis of
Proposed Budget for FY08 (July 1, 2007 to June 30, 2008)

This Budget Synopsis is prepared and published for information and fiscal planning purposes only. The inclusion in the Budget of any item does not constitute an obligation or commitment on the part of the Board of Supervisors of Appomattox County to appropriate funds for that line or purpose. There is no allocation or designation of any funds of Appomattox County for any purpose until there has been an appropriation for that purpose by the Board of Supervisors.

GENERAL REVENUES:

LOCAL

General Property Taxes	9,637,956
Permits, Privilege Fee & Regulatory Licenses	1,722,629
Fines & Forfeitures	27,723
Charges for Services	322,195
Revenues from Use of Money & Property	364,220
Miscellaneous Revenue	60,089
Recovered Costs	20,600

COMMONWEALTH

Payment in Lieu of Taxes	30,000
Non-Categorical Aid	141,638
Shared Expenses	2,050,357
Categorical Aid	865,081

FEDERAL

Payment in Lieu of Taxes	4,200
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OTHER FINANCING SOURCES

Transfers In	200,000
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SCHOOL (FUND 10)

Other Funds	409,800
State Funds	13,840,568
Federal Funds	1,435,222
Transfer In (Cafeteria)	936,153
Transfer In	399,881

VIRGINIA PUBLIC ASSISTANCE (FUND 15) 1,102,504

TOTAL REVENUE 33,570,816

EXPENDITURES:

General Government Administration	1,482,968
Judicial Administration	854,845
Public Safety	3,339,344
Public Works	1,536,586
Health and Welfare	2,129,810
Education	20,799,892
Parks and Recreational, & Cultural	515,186
Community Development	427,275
Non-Departmental	10,000
Capital Improvement Fund (transfer)	0
Debt Service	2,474,910

TOTAL EXPENDITURES 33,570,816

TAX RATES 2007-2008

REAL ESTATE	\$0.77	per one hundred dollars of assessed valuation
PERSONAL PROPERTY	\$4.60	per one hundred dollars of assessed valuation
MERCHANT'S CAPITAL	\$1.00	per one hundred dollars of assessed valuation

NOTICE

A public hearing will be held by the Board of Supervisors on April 16, 2007 at 6:00 P.M. at the Community Center, at Appomattox, Virginia, to consider the foregoing proposed budget estimates. The Proposed budget may be examined Monday through Friday from 8:00 A.M. to 4:30 P.M. at the Office of the County Administrator. All interested citizens will have the opportunity to give written or oral comment at the hearing. Senior citizens and handicapped citizens are encouraged to attend. All public meetings are accessible to persons with handicapped conditions. Any person requiring auxiliary aids, in connection with the public

hearing should notify the County Administrator at least five (5) days prior to the time of the hearing.

BY THE ORDER OF THE APPOMATTOX
COUNTY BOARD OF SUPERVISORS

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter asked if there were any other items to be presented at this time.

Mr. Armbrust brought up the subject of a Seasonal Lease Law as he has had people calling him regarding this.

We presently have a Lease Law in effect for about a one month period during the months of April and May. Dogs must be under owner control or restricted to their property. If anyone has a complaint, call the E-911 center and one of the animal wardens will respond.

Mr. Moore said he received a call about a week ago from a lady who lives on the road going from Liberty Chapel Church back to Vera. She is complaining about a person who has a lot of mess, junk and animals and the place looks like an open dump.

Ms. Ferguson stated that the Board needs to approve last month's bills for payment as they were not presented at the last meeting.

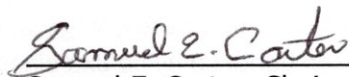
Mr. Conrad made a motion, seconded by Mr. Moore to approve the bills for payment as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Conrad stated we need to contact Central Virginia Electric Cooperative concerning the light line along Route 26 – North, near the residence of Neville Moore as these lines appear to be held up by trees.

Ms. Ferguson presented a request from Wings Over Jordan Relay for Life Team to waive the fee for use of the Community Center.

By consensus, this request was denied.

At 6:15 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)



Samuel E. Carter, Chairman

On Monday, May 7, 2007, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter stated the first item on the Agenda was:

SETTING OF THE AGENDA:

There were some page numbers that needed to be corrected.

Mr. Carter then called for the **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance to the citizen.

Mr. Nick Muddiman, Captain of the Wrestling Team.

Mr. Muddiman would like to present the Board of Supervisors with a picture of the Wrestling Team on behalf of the team. He also presented Mr. Armbrust with a T-shirt. The Wrestling Team thanks the Board for providing them with a place to practice.

Mr. Carter moved to the next item on the agenda: **APPEARANCES:**

Gary Christie, Executive Director, Region 2000 Local Government Council:

Mr. Christie has agreed to meet with the Board to make a presentation concerning the implementation of the Falling River watershed impaired areas. About one-third of this watershed is in Appomattox County with two-thirds in Campbell. At some point one of the members of the Board may be asked to serve on a steering committee.

Also, Mr. Christie will talk with you concerning the proposed Geographic Information System project that he is working on with John Spencer and Johnnie Roark.

Mr. Christie gave a brief background of the watershed program. In 1972 the Federal Government passed the Clean Water Act. In 1987 they required the states to make lists of impaired waters or waters that did not meet certain standards. The Falling River Watershed was put on the list in 1998 for a bacteria impairment. Those ranking continue to be revised but in 1998 the state signed a consent order with the UPA that all

those that were on the 1998 list would be addressed by the year 2010. This means that a plan would be developed on how to get the impairment down to an acceptable level.

Several years ago, the DEQ hired George Mason University and a consulting engineering firm called The Lewis Berger Group from Maryland to develop a TMDL study of the bacteria in the rivers which is a computer model to identify the amount of the bacteria that the river can take before fish and plant life are impacted. Mr. Christie left a copy of this study "Bacteria TMDL for Falling River Watershed, Virginia" for the Board, which describes the various sources of contamination. The Department of Conversation and Resources is currently working on this project.

Mr. Christie also spoke on the GIS project. Since January they have been using a piece of our Rural Transportation Planning money (\$48,000 State money each year) to do rural transportation planning and take the county's tax maps and digitalizing them into an electronic format. When this is complete, along with the 911 maps, we will have some good basic building blocks to look at on how this information will be used. You may want to look at putting this on the internet for people to be able to look at for property information. He has suggested that the County team up with a group from Virginia Tech which has an extension service for local governments interested in exploring GIS.

Mr. Spencer added that GIS is something that naturally progresses out of the 911 Public Safety issue. There is so much information that has to be gathered for E-911. Once you get the zoning, various information from the Commissioner of Revenue, Circuit Court Clerk, etc., that can be used by the many County Departments. A lot of neighboring counties have over the last year or two put their parcel information on line. This cuts down on a lot of phone calls from people who may be out of the area who are interested in purchasing property or seeing who owns the neighboring property. Mr. Christie has made an agreement with the professor at Virginia Tech for a estimated cost of \$5,000 to put together a plan of what is GIS and how this will help us. He is asking the Board to fund this GIS project.

John Spencer, Assistant County Administrator and Ference Varga:

Mr. Spencer will be meeting with you to present the new County Website that Mr. Varga has so graciously developed for the County at no charge. Mr. Spencer recommends that the Board adopt the new Website www.AppomattoxCountyVA.gov as the new County Website. Also, enclosed is a proclamation recognizing Mr. Varga for his service to Appomattox County and the citizens of the County. Request is that the Board adopt the proposed website.

Mr. Carter read the following proclamation:

PROCLAMATION IN RECOGNITION OF THE SERVICE OF

FERENCE VARGA

***Designer of Official Appomattox County Government Website
www.AppomattoxCountyVA.gov***

WHEREAS, a presence on the World Wide Web is critical for today's local governments in order to foster community involvement and provide citizens with information and services necessary to promote public health, safety and welfare;
and

WHEREAS, a presence on the World Wide Web is also critical to promoting the Economic and Tourism Development programs by which communities strive to provide jobs and increase tax revenues through the investment of resources from outside the community; and

WHEREAS, a presence on the World Wide Web has eluded Appomattox County due to the complexity and high cost of developing an Official County Website; and

WHEREAS, Ference Varga of Pamplin, Virginia, has volunteered to develop an Appomattox County Government Website at no cost to the County.

NOW, THEREFORE, BE IT RESOLVED THAT the Appomattox County Board of Supervisors do hereby offer its sincere thanks to Ference Varga for his hard work and dedication toward creating www.AppomattoxCountyVA.gov as the Official Appomattox County Government website.

Mr. Carter thanked Mr. Varga for his dedicated work to the County.

Mr. Spencer showed the Board the home page for this website. He also discussed what was available on the site and that more work is needed to complete the site.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt www.AppomattoxCountyVA.gov as the Official Appomattox County Government website and issue the above proclamation of recognition to Mr. Ference Varga for developing this site. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Johnnie Roark, County Planner:

Mr. Roark meets with the Board to present a proclamation in recognition of the years of service that Mr. Robert Johnson gave to the County by serving on the Planning Commission.

Proclamation in Recognition of the Service of

ROBERT JOHNSON

***As a member of the Joint Planning Commission of
Appomattox County***

WHEREAS, Robert Johnson of Pamplin, a well-known and widely respected community leader, died on April 21, 2007; and

WHEREAS, Robert Johnson was a long-time member of the Town Council of Pamplin and the Joint Planning Commission of Appomattox County; and

WHEREAS, Robert Johnson was a faithful member of Beale Memorial Presbyterian Church and a member of the American Legion and VFW; and

WHEREAS, Robert Johnson served with vigor and enthusiasm, his kindness and dedication won the respect of his peers on the Joint Planning Commission; and

NOW, THEREFORE, BE IT PROCLAIMED this 7th Day of May, 2007, that the Appomattox County Board of Supervisors extends its profound appreciation to Mr. Johnson for his diligence, hard work, and dedication to serving his community.

Mr. Craft stated that the Town Council of Pamplin at its last meeting, elected Susan Hudson as Vice-Mayor and Victor Salzi was appointed to fill Mr. Johnson's unexpired term.

Mr. Carter next called for the **ADMINISTRATIVE ITEMS:** (Item #1)

1. **Joint Meeting Request:** David Garrett, Town Manager is requesting a meeting with Appomattox Town Council to have a roundtable discussion for future water supply needs.

Recommendation is to contact the Town Manager to see if Council has made any decision as to the direction that they propose to take to establish an alternate water source for the Town of Appomattox and to find out the specifics of the proposed agenda for this joint meeting.

Mr. Conrad stated that Town Council knows what our stand is and in what direction we are going. Some effort needs to be made by a member of the Town Council to move forward and adopt the system with the County. We should probably give them a chance to make a move and come on board. We are not going to change our plans.

Mr. Armbrust feels the town needs to make a decision. We are moving forward and they need to make a decision. We do not need to debate this issue further.

Mr. Conrad feels we need to give them every opportunity to work with us.

Mr. Craft feels that the majority of the Board feels we should give them the opportunity to come on board. We know we are going to continue with the plan to develop the water line and unless Town Council has changed and wants to join in this venture, there is no need for further meetings.

Mr. Conrad commented that we need to avoid the public viewing this as we are reconsidering our position.

Mr. Armbrust agrees.

Mr. Moore sees nothing wrong with dialog. We need to let them know where we stand on this, but we should give them an opportunity to let us know what they are thinking about.

Mr. Carter stated that when we reply to the Town Council it should be disseminated that the County has voted on the direction it is going to travel and there is no new information and there is no need to try to "reinvent the wheel". We want a chance to sit down and talk but they should know that we are not going to change our direction.

It was the consensus of the Board to have Ms. Ferguson notify Mr. Garrett of what transpired tonight and state the stipulations for a joint meeting.

Mr. Carter called for action on the **CONSENT AGENDA:** (Items 2-14)

2. **Approval of Bills:** Please approve bills for payment as presented.

FUND APPROVALS:

3. **Law Library Fund:** Please appropriate by consent and approve the payment of \$543.68 from the Law Library Fund to pay enclosed bills.

4. **Sheriff's Asset Forfeiture Fund:** Please appropriate by consent and approve \$450.00 from the Sheriff's Asset Forfeiture Funds to pay expenses for two (2) deputies attending a training class.

LINE ITEM TRANSFERS:

5. **Commonwealth's Attorney Office:** Please transfer by consent \$6,018.00 from 1101-5804 Operating Reserve to 2201-7002 Furniture in the Commonwealth's Attorney Budget.
6. **Landfill Collection:** Please transfer by consent \$1,197.66 from 4203-5408 to 4203-1001 to cover salary increase for a landfill employee.

SUPPLEMENTAL APPROPRIATIONS:

7. **Commissioner of Revenue:** Please appropriate by consent and supplement \$5,174.87 to 1209-1001; \$395.88 to 1209-2001; and \$743.63 to 1209-2002 for a total of \$6,314.38 to pay for raises approved by Compensation Board.
8. **Court Service Unit:** Please appropriate by consent and supplement \$18,090.00 to the Court Services Unit budget for juvenile detention services.
9. **Sheriff's Department:** Please appropriate by consent and supplement \$611.03 to 3102-1002 and \$50.61 to 3102-2001 in the Sheriff's Budget for reimbursement received from the Federal Government for Overtime.

Also, appropriate by consent and supplement \$1,953.38 to 3102-1002 for reimbursement received from the High School for officers working basketball games.

10. **Animal Control:** Please appropriate by consent and supplement \$1,500.00 for donation received from the Humane Society of America to assist Appomattox County with the transition from the carbon monoxide chamber to injection.
11. **Landfill Collection:** Please appropriate by consent and supplement \$58.96 to 4203-1001 due to reimbursement from insurance company.
12. **Social Services:** Please appropriate by consent and supplement \$1,668.93 to 5301-5305 for reimbursement received from the insurance company.
13. **Comprehensive Services Act:** Please appropriate by consent and supplement \$100,000.00 to 5310-3001 to pay for mandated services for youth. All but 26.75% of these funds will be reimbursed to the locality.
14. **Library:** Please appropriate by consent and supplement \$747.03 to 7301-5401 and \$197.23 to 7301-5411. These funds were collected by the Library for stamps, office supplies, book replacement fees, donations and book sales.

There was some discussion regarding the Comprehensive Services Act and just what this program does.

Mr. Moore made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter reviewed the **INFORMATIONAL ITEMS:** (Items 15-23)

15. **Landfill Compliance Inspection:** Latest inspection by DEQ for the Landfill Bailing facility.
16. **Robert E. Lee Soil & Water Conservation District:** Minutes of the Board of Directors meeting held on March 22, 2007.
17. **Virginia Employment Commission:** Letter to Mr. Carter explaining that there is a plan to make changes in the structure of the VEC. Meetings have been scheduled at various locations across the State to brief localities on the propose changes.
18. **Summary of Code Amendments:** Proposed changes to the Subdivision Ordinance and Zoning Ordinance. Public Hearing scheduled for May 21, 2007.
19. **Proposed Biosolids Application for the Town of Appomattox:** Information from C. W. Swanson, P.E. to Mayor Wilson, concerning an application by the Town of Appomattox for a permit to land apply biosolids or to market the material.
20. **United Way of Central Virginia:** Quarterly report 2-1-1 Virginia of Central Virginia's Problems/Needs Inquires for the area.
21. **2007/2008 Conferences, Inc.:** The NACO Conference is being held in Richmond this year. If anyone is interested in participating in any way, please notify Ms. Ferguson. Ann Dixon will be hosting one of the buses going to Jamestown and she has been provided information concerning the brochures that they will include in the registration bags.
22. **Additional Holiday:** The Governor has given all State employees a holiday on May 3, 2007 due to activities in Richmond. To the employees that are not located in Richmond, he is giving them a day to take when they choose. In accordance with County policy I will be notifying the various department of the Governor's action.
23. **Appomattox County Public Schools:** Monthly financial report for the month of April for the school system.

Mr. Carter next called for **Supervisor's Concerns:**

Mr. Carter would like to thank everyone for their phone calls, letters, etc.. since his wife's hospitalization and the death of his mother. He appreciates all the thoughts and prayers.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

May 21, 2007 – Public Hearing @ 6:00 p.m.
Route 460 Corridor Management Study
Community Center

May 21, 2007 – Public Hearing @ 6:15 p.m.
Ordinance Amendments
Community Center

May 21, 2007 @ 6:30 p.m.
Regular Scheduled Board of Supervisors Meeting
Community Center

May 21, 2007 – Public Hearing @ 7:00 p.m.
Joint Meeting with Planning Commission
Community Center

June 4, 2007 – 6:30 p.m.
Regular Schedule Meeting of Board of Supervisors
Community Center

Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter, Chairman

On Monday, May 21, 2007 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Joint Public Hearing at 6:00 p.m. regarding the Appomattox County Route 460 Corridor Management Study at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

PRESENT: (Planning Commission)

George Almond – Chairman
Kevin O'Brien

Calvin Tanner
Steve Conner
Al Sears
Susan Hudson

ABSENT: (Planning Commission)

Barry Morris
Shannon Dews
Bryan Baines
Marvin Mitchell

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Attorney

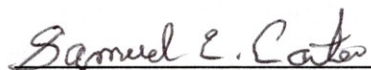
At 6:00 p.m. Mr. Carter opened the public hearing and stated the purpose of the meeting was to discuss the Appomattox County Route 460 Corridor Management Study developed by the URS Corporation for the Region 2000 Local Government Council, Lynchburg, Va. in cooperation with Appomattox County, the Virginia Department of Transportation and the Federal Highway Administration.

The purpose of this study is to identify and define existing and forecasted deficiencies and to develop recommendations both for roadway improvements and for managing land use development activities along Route 460 West from the Town of Appomattox to the Campbell County line, an area of approximately 7.5 miles.

Mr. Bill Cashman gave a brief overview of the Corridor Management Study and what needs to be done to insure that the services provided fit. In examining and analyzing the corridor, we have concluded that currently this is adequate as far as capacity and while there are accidents, they are not accidents which indicate that there is a safety problem. There will be continued growth in the county and the question is what we do to insure that the roadway continues to serve as adequately as it does now. They make recommendations as to turning lanes, but basically the forecast of traffic the service should be adequate into the future until 2030. They are recommending an overlay district along the corridor from the western limits of the Town of Appomattox to the Campbell County Line. The focus of industrial development should be at major intersections.

After a brief question and answer period between Mr. Cashman and the Board of Supervisors, Mr. Carter called for comments from the citizens.

Hearing none, the public hearing was closed at 6:10 p.m.


Samuel E. Carter, Chairman

On Monday, May 21, 2007 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Joint Public Hearing at 6:15 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, Va.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
 Thomas H. Conrad – Falling River District
 William H. Craft – Appomattox River District
 Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

PRESENT: (Planning Commission)

George Almond – Chairman
 Kevin O'Brien
 Calvin Tanner
 Steve Conner
 Al Sears
 Susan Hudson
 Bryan Baines

ABSENT: (Planning Commission)

Marvin Mitchell (arrived at 6:22 p.m.)
 Barry Morris
 Shannon Dews

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
 Johnnie Roark – County Planner
 John K. Spencer, Jr. – Assistant County Attorney

At 6:15 p.m. Mr. Carter opened the Public Hearing and stated the purpose of this public hearing is to discuss the Proposed Amendments to the Appomattox County Code – Subdivision Ordinance: Section 1.4 Definitions; Section 3.4 Exemptions; Section 3.8 Family Division; Section 6.11 Cul de Sacs and Section 170-47 Conditional Uses in B-1 Zoning District in the Zoning Ordinance.

Mr. Roark read the following code amendments:

PROPOSED AMENDMENT - SUBDIVISION ORDINANCE

SECTION: 1.4 Definitions, Agricultural Subdivision

ORIGIN OF REQUEST: Board of Supervisors. Issue arose with the Knight case of minimum lot size for exempt lots (agricultural subdivisions). Research of the surrounding counties found that only Bedford County allows exemptions such as this and their minimum lot size is 20 acres. The Board of Supervisors requested in April that staff move forward with this amendment.

CURRENT: Defined as: Any subdivision where the resulting lot or lots contain 25 or more acres.

PROPOSED AMENDMENT: Defined as: Any subdivision where the resulting lot or lots contain twenty (20) or more acres.

PROPOSED AMENDMENT – SUBDIVISION ORDINANCE

SECTION: 3.4 Exemptions for Agricultural Subdivision *and Pipe Stem Lots*

ORIGIN OF REQUEST: Citizen Request. Staff received a request from Mr. Bill Dickerson, local surveyor, citing the need to re-examine our ordinance concerning pipe stem lots. This type of lot was permitted in the former ordinance as an exemption; however, the Planning Commission decided not to include them in the new ordinance. Mr. Dickerson has found this problematic because of the long history of surveying property and "setting up" parcels to be divided under this method in the future. The Planning Commission evaluated the matter at its April meeting and determined that pipe stem lots are a valuable means of subdividing land.

CURRENT: Pipe Stem Lots on 50 foot stems are not currently allowed.

PROPOSED AMENDMENT:

- 3.4.1 Lots subdivided as agriculture tracts shall be exempt from the street frontage requirements in the Zoning Ordinance. Applicants for agriculture subdivision approval shall submit to the subdivision agent four (4) copies of a plat conforming to the requirements set forth in 3.21-Content of Final Plat. Staff approval or denial of agricultural subdivisions shall be given within five (5) business days of submission by the surveyor or owner.
- 3.4.2 *Lots subdivided as a pipe stem lot shall have a minimum fifty (50) feet of street frontage. No more than two (2) stems may abut one another and no more than three (3) pipe stems shall be allowed in any 600 foot continuous span of street frontage. The minimum lot size for a pipe stem lot shall be no less than ten (10) acres.*

PROPOSED AMENDMENT – SUBDIVISION ORDINANCE

SECTION: 3.8 Family Divisions

ORIGIN OF REQUEST: Planning Commission. The Planning Commission re-examined the regulations governing family divisions. The Planning Commission felt it was necessary to amend the ordinance to include a restrictive covenant stating that the property has been owned by the grantor for at least ten (10) years and the grantee would prohibit transfer of the property to non-family members for ten (10) years following the conveyance. This coincides with Code of Virginia Section 15.2-2244.1, which allows these restrictions for up to fifteen (15) years.

CURRENT:

- 3.8.1 No tract of land situated in Appomattox County shall be subdivided unless the subdivider shall cause a plat of subdivision to be made, submitted and approved to the terms of this ordinance and recorded in the land records of the office of the Clerk of the Circuit Court.

3.8.8 A family subdivision plat shall contain the following notes:

- b. This lot shall not be conveyed within five (5) years of the date of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.

PROPOSED AMENDMENT:

3.8.1 No previous transfer under this provision has been granted to the grantee in this county.

The grantor shall provide proof of continuous qualifying family ownership for a minimum of ten (10) years prior to the conveyance and the grantee shall not convey the new lot within ten (10) years of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless other approved by the Board of Supervisors.

3.8.8 A family subdivision plat shall contain the following *restrictive covenants*:

- b. This lot shall not be conveyed within *ten (10)* years of the date of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.

PROPOSED AMENDMENT – SUBDIVISION ORDINANCE

SECTION: 6.11 Cul de Sacs

ORIGIN OF REQUEST: Staff. Minimum lot frontage on a cul de sac was inadvertently omitted from the new subdivision ordinance. This is a "housekeeping" matter to insert requirement and correct an oversight.

CURRENT: Omitted from Ordinance.

PROPOSED AMENDMENT:

6.11.4 *Minimum frontage for any lot fronting on a cul de sac shall be no less than twenty (25) feet. The lot should progressively get wider and shall meet the minimum lot width for the respective zoning district at the building setback line.*

PROPOSED AMENDMENT – ZONING ORDINANCE

SECTION: B-1 Commercial District, Section 170-47 Conditional Uses

ORIGIN OF REQUEST: Citizen Request: The Planning Commission received a request from Carl Reeves, School Board Chairman, Cornerstone Christian Academy, to add the use "schools" as a permitted use in the B-1 zoning district. After much deliberation, the Planning Commission decided it was a suitable use if it is considered a conditional use in the B-1 zoning district.

"Schools" is defined as: Institutions providing full-time instruction and including support facilities, such as school system administrative offices, maintenance shops, storage warehouses, vehicle storage lots, athletic fields, and playgrounds. Dancing schools, riding academies and the like shall not be included.

CURRENT:

Use is not currently allowed in the B-1 Zoning District. Currently, this use is permitted as a use by right in the R-1, R-2 and PUD districts. It is a Conditional Use in the A-1 and V-1 districts.

PROPOSED AMENDMENT:

Add the use category "Schools" to the list of conditional uses within the B-1 zoning district.

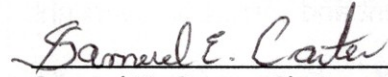
Mr. Carter asked if anyone had comments:

Mr. Jeffrey Hubler, Cornerstone Christian Academy: He is one of the organizers of the Cornerstone Christian Academy and they already have fifty (50) children applying for attendance to this school. They have a particular piece of property in mind for this school. He is in favor of changing the Zoning Ordinance, Section B-1 Commercial District, section 170-47 Conditional Use.

Ms. Marcie Jones, Principal of the Cornerstone Christian Academy: Ms. Jones is in favor of Conditional Use change in a B-1 area. Schools do function well in a business area. Not too many people want schools in a residential area. They see a number of children going outside of the County to attend private schools. There are a large group of Home Schooled children in the County.

At 6:22 p.m. Mr. Marvin Mitchell arrived.

At 6:23 p.m. Mr. Carter closed the Public Hearing.


Samuel E. Carter, Chairman

On Monday, May 21, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad - Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
Johnny Roark – County Planner

Barry Watkins – Maintenance Supervisor

At 6:30 p.m. Mr. Carter called the meeting to order and delivered the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter called for the **SETTING OF THE AGENDA:**

4A – Resolution to Endorse Tobacco Grant Application

Mr. Craft stated he went to present Mrs. Robert Johnson a proclamation recognizing Mr. Johnson for the number of years of service to the Town of Pamplin and the County of Appomattox as a member of the Planning Commission, and she was very appreciative.

Mr. Carter then called for **CITIZEN PUBLIC COMMENTS PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Since there were no scheduled appearances Mr. Carter moved to the **ADMINISTRATIVE ITEMS:** (Items 1-4)

1. JetBroadband Fiber Optic Proposal: Staff has been working with JetBroadband on a cost effective solution to our Internet needs within the Courthouse Complex. JetBoardband has submitted a proposal that would:

- Install fiber optic lines into the E911 Center:
- Lease dark fiber that would link the Registrar and Reassessment Offices with the Courthouse Complex network; and
- Provide 5 megabits of optical Internet Access on a 60-month contract.

Recommendation is to accept JetBroadband proposal based on a 60-month contract term (subject to appropriation) at the installation and monthly service costs listed in the proposal. Staff further recommends that this contract be awarded as a Sole Source Procurement as outlined in an accompanying memo.

Mr. Spencer made a brief statement as to what the County needs to efficiently operate the computer network in all the various departments and offices in the Courthouse Complex.

Mr. Conrad made a motion, seconded by Mr. Craft, to accept the proposal from JetBoardband Fiber Optics on a 60 month contract for internet service to the County and also to award this contract as a Sole Source Procurement. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

2. Public Safety Director/911 Coordinator: Job description for Public Safety Director/911 Coordinator for the Boards consideration.

Recommendation is that the Board consider changing the current job title from E911 Communication Center Coordinator to Public Safety Director/911 Coordinator with revised job description.

Ms. Ferguson stated this position should have been listed as Public Safety Director from the beginning. There have not been any arrangements made to upgrade this salary range, however, this is probably in order considering all of the responsibilities that Mr. Wingfield has that have nothing to do with Public Safety or the 911 Coordinator positions. The main focus at this time is to bring this position up to the Public Safety Director officially.

Job Description
Public Safety Director/911 Coordinator

The Public Safety Director/911 Coordinator will serve as the director of emergency services for Appomattox County. This position would be responsible for the day to day emergency management functions to include vulnerability assessment, emergency plan writing and maintenance, and coordination of State and Federal requirements related to the office. This position would also be responsible for the management of Homeland Defense and Virginia Department of Emergency Management. The Director is responsible for the coordination and management of any man-made or natural disaster. The Director of Public Safety/911 Coordinator will assign all new Physical Addresses and Street name for the County.

The Director is the primary leader of the Emergency Communications Center, which entails developing and implementing policies, managing the emergency communication budget and serving under the direction of the County Administrator.

The Director will assist the County Administrator in reviewing the fiscal budgets of Fire/Rescue departments in Appomattox County.

The Public Safety Director or a Designee will serve as the Biosolids Monitor for the County.

Public Safety Staff:

Bobby Wingfield - Public Safety Director/911 Coordinator

Libby Ashby - Communications Supervisor

Freddy Godsey - Emergency Coordinator (part-time)

Vicky Phelps - Public Information Office (PIO)

Appomattox County Emergency Communications Dispatchers

Appomattox Fire Department - Chief

Appomattox Rescue Squad - Captain

Pamplin Fire Department - Chief

Pamplin EMS - Captain

Fire Marshall

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the change of Mr. Wingfield's Job Title and adopt the above Job Description to Public Safety Director/911 Coordinator. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes- 1 absent)

3. **Cowboy "X" Games Festival Permit:** Cowdiva Productions, LLC,. has applied to hold Cowboy "X" games at 3584 Liberty Chapel Road, Appomattox, Va. There will be approximately 30 competitors and an estimated 250 attendees. The applicant has requested that the bond be waived.

Recommendation is that this application be reviewed and considered for approval.

There was some discussion as to this being some of the same people involved in the Festival Permit request that was approved recently for Cowboy X games to be held on property owned by John & Vickie Hix on Holiday Lake Road. There are some concerns that this application is not clear as to where, and the dates to be held.

Mr. Craft made a motion, seconded by Mr. Conrad, to table this issue until the next meeting and more information is received. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

4. **Board of Zoning Appeals Reappointment:** The term of James Cheatham on the Board of Zoning Appeals has expired. Mr. Cheatham has expressed the desire to serve another five (5) year term expiring in 2012. Does the Board wish to recommend to the Circuit Court Judge that Mr. Cheatham be reappointed for an additional term.

Recommendation is that the Board nominate Mr. Cheatham to the Circuit Court Judge as a candidate for reappointment to the Board of Zoning Appeals.

Mr. Craft made a motion, seconded by Mr. Moore to recommend to the Circuit Court Judge that Mr. James Cheatham be reappointed to the Board of Zoning Appeals for another five (5) year term expiring in 2012. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

- 4A. **Resolution to Endorse the Application for Virginia Tobacco Indemnification and Community Revitalization Commission Economic Development Grant Program fund to aid in the Development of Phase II of the Appomattox Workforce Development Center.**

Mr. Spencer made a few comments regarding these funds. We have a carry-over from last year, plus this year's allowance to apply for, amounting to approximately \$51,000.00. Last fall, we applied for \$250,000.00 from another pot of money at the Tobacco Commission for CVCC Phase II. We had a budget of project cost based on the fact that we have a greater understanding of what CVCC wants out of Phase II. We have the opportunity to apply for this economic allocation by June 1, 2007 which would help off-set this additional costs. This resolution basically states that we have put a lot of money into Phase I which has been completed. Phase II has already had \$250,000.00 committed from the Tobacco Commission as well as the County has committed a large chunk of money.

RESOLUTION TO ENDORSE THE APPLICATION FOR VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION ECONOMIC DEVELOPMENT GRANT

**PROGRAM FUNDS TO AID IN THE DEVELOPMENT OF PHASE II OF THE APPOMATTOX
WORKFORCE DEVELOPMENT CENTER.**

WHEREAS, the Virginia Tobacco Indemnification and Community revitalization Commission (TICRC) has announced available funding for their Economic Development Grant Program; and

WHEREAS, the County of Appomattox and the Appomattox Workforce Development Center Management Team underwent a thorough planning process to identify and prioritize long-term needs to sustain and strengthen the County of Appomattox, has identified workforce training deficiencies in the county, and

WHEREAS, the County of Appomattox is aggressively following through on the recommendations of the abovementioned Management Team by construction Phase I of the Appomattox Workforce Development Center, and

WHEREAS, Phase I of the Workforce Development Center has been funded through a cooperative effort by multiple agencies: a Virginia Tobacco Commission Economic Development of \$16,240.00; a U. S. Department Of Housing & Urban Development Economic Development Initiative Grant of \$103,092.99; Central Virginia Community College funding of \$175,000.00; and funding in the amount of 4160,088.00 from the County of Appomattox, and

WHEREAS, the County of Appomattox is now ready to move forward with the development of Phase II of said Center, and it has begun developing financial partnerships with agencies, including the recent award of a TICRC Education Grant of \$250,000.00 and an estimated local match of \$305,382.00, and

WHEREAS, the Appomattox County Board of Supervisors is committed to the continued development of a workforce development center as a component of the renovation of the Carver-Price Educational Complex and will be responsible for the management, maintenance and operation of the building to ensure that a workforce development center can continue as long as Central Virginia Community College continues to lease the facility for classes that improve and enhance the education level of the workforce and business community of Appomattox County, and

WHEREAS, the Appomattox County Board of Supervisors will appoint a committee to govern the program development and execution of the workforce development center, and that said committee will consist of representatives of the workforce development center invited partner organizations, including, but not limited to Central Virginia Community College, Investment Board, Virginia Employment Commission, Region 2000 Small Business Development Center and the County of Appomattox.

THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors of the County of Appomattox wishes to apply for funding in the amount of \$71,401.00 from the Virginia Tobacco Indemnification and Community Revitalization Commission for an Economic Development grant to be utilized to develop a Workforce Development Center in Appomattox County.

BE IT FURTHER RESOLVED, that Aileen T. Ferguson, County Administrator, is hereby authorized to sign and submit the appropriate documents for submittal of this TICRC Education Grant Application and to execute any necessary legal documents if the grant is awarded to the County of Appomattox.
Adopted this 21st day of May, 2007.

Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the above Resolution Endorsing the Application for Virginia Tobacco Indemnification and Community Revitalization Commission Economic Development Grant Program Fund to aid in the Development of Phase II of the Appomattox Workforce Development Center.

VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter next called for the **CONSENT AGENDA:** (Items 5-15)

5. Approval of Bills: Please approve bills for payment as presented.

FUND APPROVALS:

6. Law Library Fund: Please appropriate by consent and approval the payment of \$364.70 from the Law Library Fund to pay the enclosed bill.

LINE ITEM TRANSFER:

7. **Sheriff's Department:** Please transfer by consent \$1,892.00 from 3102-3010 (Drug Investigation) fund to:
- | | |
|----------------------|------------|
| 3102-1002 – Salaries | \$1,550.90 |
| 3102-2002 – VRS | \$ 222.86 |
| 3102-2001 – FICA | \$ 118.64 |
8. **Commissioner of Revenue:** Please transfer by consent \$1,025.00 from 1101-5804 (Operating Reserve) to 1209-5803 – Refunds to cover refunds.
9. **Library:** Please transfer by consent \$2,500.00 from 7301-5411 – Books to
- | | |
|-----------------------------------|------------|
| 7301-7001 – Equipment | \$1,000.00 |
| 7301-3002 – Professional Services | \$1,500.00 |
- This is for replacement of older model computers and to pay for software license fee.

SUPPLEMENTAL APPROPRIATIONS:

10. **Sheriff's Department:** Please appropriate by consent and supplement:
- | | |
|----------------------|------------|
| 3102-1001 - Salaries | \$8,946.00 |
| 3102-2001 - FICA | \$ 684.37 |
| 3102-2002 – VRS | \$1,284.54 |
- To pay salaries through June, 2007.
11. **Sheriff's Department:** Please appropriate by consent and supplement \$10,000.00 to 3102-1003 – Part-time Salaries in the Sheriff's budget for additional funding received from Compensation board.
12. **Court Clerk's Office:** Please appropriate by consent and supplement \$810.00 to 2101-2007 - Compensation to Jurors for funds that have been reimbursed to the County from the Supreme Court.
13. **County Administration:** Please appropriate by consent and supplement \$16,104.70 to 4101-3002 – Professional Services – for Ash Lane Project in Country Haven Estates.
14. **Landfill Collection:** Please appropriate by consent and supplement \$844.21 to 4203-5407 – Repair/Maintenance for reimbursement from Erie Insurance for damages to Mack Roll Off truck.
15. **E-911:** Please appropriate by consent and supplement \$243,929.46 to 3606-5203 – Telephone from the Wireless Grant/Wireline Grant.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 16–20)

16. **DCR Letter Concerning County's E & S Program:** Letter from Department of Conservation and Recreation concerning the County's jurisdiction over Erosion and Sediment Control enforcement in the Town of Appomattox.
17. **Department Staff Reports:** Activity Reports from Department Heads for the past month.
18. **DEQ Landfill Compliance Inspection Report:** Results of the Department of Environmental Quality's unannounced compliance inspection at the landfill on March 26, 2007.
19. **Fighting Fire with Facts – A Report on Local Fire Department Incident Responses:** Report on local fire departments involved with the Virginia Fire Incident Report System (VFIRS).
20. **Letter of Invitation from Habitat for Humanity:** Letter from Beverly H. Cyrus of the Appomattox County Chapter of Habitat for Humanity inviting the Board to a dedication service for the home being built for the Mary Baker family.

Mr. Craft reported that he attended the dedication services for the Habitat for Humanity house. Everything went well.

Mr. Conrad asked about the Landfill Compliance Inspection regarding the gas concentration.

Ms. Ferguson stated that this project has been through the bid process and funding has been secured and they are starting to install the flaring equipment.

Mr. Carter next called for **SUPERVISOR CONCERNS:** (Item 21)

Mr. Craft stated he had one concern. Something that has been bothering him for a while is this thing about the county, indicating that the county wants to take over and merge the county with the town. This is not the way he understood it. We need to look back and see who "fired the first shot" in this thing. Sometimes last year, there was a rumor going around that the Town wanted to take in a four or five miles circumference around the town. He went down and looked at the map, it looked like it was pretty close to his house. Several people asked him about it and he informed them of what he had found out. He told them to go to the town office and look at the map. They went down to the town office and were told that David was not working and they did not know of a map. He does not know what happened to it, but he believes this is where this whole thing got started. If they are talking about taking in so much of the county, someone said that if you are going to take the county, why no merge. He certainly is not interested in merging. He does not see what it will benefit. He did see a petition on this but he is not involved in it.

At 6:57 P.M. Mr. Carter called for a short recess.

At 7:15 p.m. Mr. Carter reconvened the Board meeting.

Mr. Carter reminded everyone of **UPCOMING MEETINGS:**

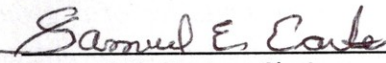
**June 4, 2007 @6:30 p.m.
Regular Scheduled Meeting – Board of Supervisors
Community Center**

**June 18, 2007 @6:30 p.m.
Regular Scheduled Meeting – Board of Supervisors
Community Center.**

**Retirement Ceremonies for Dr. Walter Krug
June 13, 2007 from 1:00 to 3:00 p.m.
at the School Administrative Offices**

Ribbon cutting ceremony for CVCC on June 8, 2007.

At 7:16 p.m. Mr. Moore made a motion, seconded by Mr. Conrad, to adjourn.


Samuel E. Carter, Chairman

On Monday, May 21, 2007, the Appomattox County Board of Supervisors and the Appomattox Planning Commission held a Joint Public Hearing at 7:00 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)

Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: (Board of Supervisors)

Shawn A. Armbrust – Wreck Island District

PRESENT: (Planning Commission)

George Almond – Chairman
Kevin O'Brien
Calvin Tanner
Steve Conner
Al Sears
Susan Hudson
Bryan Baines
Marvin Mitchell

ABSENT: (Planning Commission:
Barry Morris
Shannon Dews

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
Johnnie Roark – County Planner
John K. Spencer, Jr. – Assistant County Attorney

At 7:00 p.m. Mr. Carter opened the Public Hearing and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting to Mr. Roark who read the first petition.

CUP07001 – Grace Hills Baptist Church, 4320 Pumping Station Road, Appomattox, VA: Grace Hills Baptist Church is requesting a Conditional Use Permit for property located at 4320 Pumping Station Road (Route 691), Tax Map #63(A)42, 63(A) 161 and 162 and zoned Residential District R-2. Property is approximately 7.57 acres in three parcels.

Applicant is proposing to develop a day care center for children aged 6 weeks to 4 years old. The center will be open from 6:30 a.m. to 6:00 p.m. Monday through Friday. Initially the applicant hopes to begin with 25 children and a staff of approximately 12. The day care center will be located in the portion of the building designated as the Educational Building, which is part of the new addition. Future plans are to occupy a separate building at the current location. A playground area is also planned. Exsiting parking lot will be utilized for the day care center.

Mr. Roark called for comments for or against this petition.

Hearing none, Mr. Roark read the next petition.

RZ07001 – Charles A. Sowers and Shelia A. Goodman, Red House Road, Appomattox, VA. – The applicants are requesting to rezone property from R-1 to A-1 in order to be allowed to place mobile homes on the property. Current zoning designation prohibits mobile home placement. Property is located on Red House Road

(Route 727) and is currently zoned R-1 Residential, consisting of 1.60 acres in four (4) lots, Tax Map #'s 98(A)19, 19A, 20 & 21.

Mr. Sowers indicates that the area is in great need of rental housing and he would like to add three (3) more mobile homes to these lots, thus providing a service to the community. The area currently has mobile homes, both single and doublewides, spread throughout the landscape.

Mr. Roark called for comments for this petition.

Mr. Charles Sowers, 302 Grist Mill Drive, Lynchburg, Va. Mr. Sowers stated that he wished to acquire four (4) lots on Route 727. One of these lots has a doublewide on it. He has gotten numerous calls concerning more doublewide units for rental property. They would like to place three (3) more doublewides on this property. They feel this project would be beneficial to the County.

Mr. Roark called for comments against this petition.

Ms. Cheryl Tweedy, 191 Indian Flat Road, Appomattox, Va. As an adjacent land owner, Ms. Tweedy is opposed to the rezoning of this property. She is concerned with the placement of wells and septic systems. They also have some questions regarding Ingress and Egress over the right of way to their property. She would also like to point out that there are several vacant rental properties between the High School and this property.

Mr. Gary Fleshman - Mr. Fleshman owns the adjoining property. He is opposed to this rezoning change. He has lived here for 53 years and likes his privacy. He is also concerned about the septic tanks.

Mr. Rayford Fleshman - Mr. Fleshman owns the property across the road from the property in question, and he is opposed to the re-zoning. He is also opposed to this being developed as what will amount to a Mobile Home Park in plain view of his property. Also, the owners of this property are from out of town and he feels the owners should live close to the property in order to properly maintain these units.

Ms. Debra Hendricks - Ms. Hendricks lives adjoining this property. This was all part of family owned property and they all like the quiet and privacy as it is now. She respects her neighbors. She has lived here all her life. She is opposed to the rezoning and the placement of these mobile units. Mr. Sowers does not live in Appomattox and she feels he will not be present enough to care of the property. She also does not feel this property will perk properly for septic systems as it tends to have standing water when it rains. Her mother's house has been empty for about eight (8) years and no one has contacted her regarding wanting to rent or to buy. All she wants is for Mr. Sowers to respect their feelings.

Mr. Ester Surface, 239 Red House Road, Appomattox, VA. His property sits in back of the property in question. He is basically against this for the same reasons as

stated by his neighbors. He is building a new log home and feels this rezoning will not be in the best interest as to the value of his property.

Mr. Roark asked if anyone else wished to comment. Hearing none, he turned the meeting back to Mr. Carter.

At 7:15 p.m. Mr. Carter closed the public hearing.

Samuel E. Carter
Samuel E. Carter, Chairman